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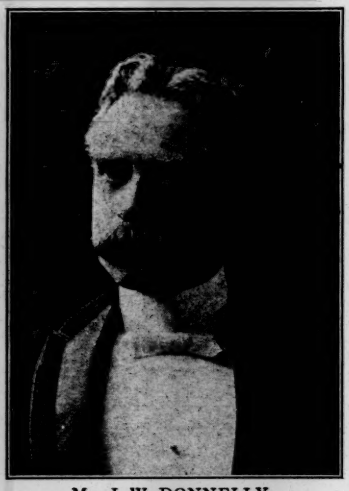

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THE ECCLESIASTICAL REVIEW

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THE AUTHENTIC TEXT OF THE "MOTU PROPRIO" REGARDING THE AUTHORITY OF THE BIBLICAL COMMISSION.

THE text of the recent "Motu Proprio" *Praestantia Scripturae Sacrae,* defining the obligations of the Encyclical *Pascendi Dominici gregis* and the Decree *Lamentabili sane exitu,* was published broadcast, it appears, in a faulty reading, which in turn caused faulty comment.

According to the version printed in the Roman periodicals and thence copied and translated as the official utterance of the Pope, the latter was made to say: "Wherefore we find it necessary to declare and prescribe, as we do now declare and expressly prescribe, that *all are bound in conscience to submit to the decisions, regarding doctrine, of the Biblical Commission,* which have been given in the past and which shall be given in the future, in the same way as to the Decrees of the Roman Congregation, when approved by the Sovereign Pontiff."[1]

[1] Quapropter declarandum illud praecipiendumque videmus, quemadmodum declaramus in praesens expresseque praecipimus, universos omnes conscientiae obstringi officio sententiis Pontificalis Consilii de re Biblica, *ad doctrinam pertinentibus,* sive quae adhuc sunt emissae sive quae posthac edentur, perinde ac Decretis Sacrarum Congregationum a Pontifice probatis, se subjiciendi;" etc.

This is the text as we printed it and as it stands in the *Analecta Romana,* which has the "Imprimatur" of the Roman Censor. The *Civiltà Cattolica* gave the same text, although there was an insertion in the accompanying Italian translation which proves to have been made from the correct original.

The obvious impression which the above version leaves on the reader is, that the authority of the Biblical Commission is binding only when its pronouncements are on questions of doctrine or of facts inseparably connected with doctrine.

But how reads the official text, which the Apostolic Delegate has transmitted to the Bishops, indicating the erroneous portion of the published version? "Wherefore we find it necessary to declare and prescribe, as we do now declare and expressly prescribe, that *all are bound in conscience to submit to the decisions of the Pontifical Biblical Commission,* which have been given in the past and shall be given in the future, *in the same way as the Decrees which appertain to doctrine, issued by the Sacred Congregations and approved by the Sovereign Pontiff;*" etc.[2]

The difference of version between the text as originally published and that of the official document is important. The former reading would make the decisions of the Biblical Commission binding in conscience only in cases when such decisions involve doctrinal matters (*ad doctrinam pertinentibus*). As the questions of authorship, authenticity, and integrity, no less than those of exegesis, which the Biblical Commission is expected to decide, do not in many cases involve either definite doctrinal matter, or even touch remotely dogmatic truths binding on the conscience of Catholics, the purpose of the Pontifical prescriptions, which is to secure loyal assent to the decision of the Commission, would defeat itself in the very nature of the matter with which it proposes to deal. Indeed the question presented itself at once to those who had weighed the terms of the *Motu Proprio* in the supposed authentic text: What are we to consider decisions pertaining to doctrine as distinguished from purely disciplinary or hortatory prescriptions? It

[2] Quapropter declarandum illud praecipiendumque videmus, quemadmodum declaramus in praesens expresseque praecipimus, universos omnes conscientiae obstringi officio sententiis Pontificalis Consilii de re Biblica, sive quae adhuc sunt emissae sive quae posthac edentur, *perinde ac Decretis Sacrarum Congregationum pertinentibus ad doctrinam probatisque a Pontifice, se subjiciendi;*" etc. (Official Text received through the Apostolic Delegate).

would be very difficult to determine whether the decisions thus far rendered by the Biblical Commission, given on critical and pedagogical grounds, could be said to pertain to doctrine, even under a narrowed view of what is or is not doctrinal. The confusion arising from differences of opinion in the application of such decisions would leave the inquiring mind in a condition worse than if there existed no decisions at all, because it could only open the way to contentions which, without such pronouncements, might not be provoked at all.

But as the matter stands under the correct reading of the Pontiff's words, the decisions of the Biblical Commission have their binding force independently of any interpretation that might be given to them when made applicable to doctrinal matters. They are the verdict of a tribunal which determines what Catholic scholars are to teach, and what we must maintain as representing the doctrinal position of the Church in regard to the authority of the Sacred Scriptures. Such a verdict binds a Catholic in conscience, just as do the decisions of the S. Congregation of the Holy Office (or Inquisition), or of the Index, or of the Council of Interpreters of the Tridentine Decrees. For all these tribunals have as their main object the defining of what is to be taught in the Church; and these tribunals are distinct from those others which direct the administrative or disciplinary action of the Church Universal.

That the teaching office of the Church is not confined to truths which are called dogmas of religion, but includes the entire deposit of faith resting upon such tradition as has back of it a great body of historical and logical testimony greatly outweighing the authority of modern scholarship when merely supported by individual or inconsistent conjectures, needs no demonstration for the Catholic. Accordingly, the Holy See requires that we accept the certain attested tradition rather than the uncertain novelties of conjectural criticism which sets no limits to its tendency toward the destruction of supernatural religion. Not that the authorities of the Church would exclude the ascertained results of modern and progressive scholarship in tracing the sources and history of written Reve-

lation or the more exact interpretation of its text; but she demands a sure guarantee that the assertions of modern investigators are not the results of merely plausible theories and speculations, however much associated with specialist erudition these may be, but the solidly attested outcome of demonstrable facts and legitimate inference, such as would draw the assent of the reasonable mind when the evidence from both sides is presented to it. There is no need to discriminate here between infallible and authoritative teaching. Authority need not be infallible to legitimately command the assent of the mind to the unconditional acceptance of a proposition. We accept the authority of the Commission because the Pope as the chief teacher and supreme disciplinarian of the Church commands it, for we know that his command is authorized by his commission from Christ as the head of a Church established to teach.

Although it is not necessary for each one who thus gives his allegiance to the teaching of Christ, that he should understand all the truths taught, the Pope as teacher invariably rests his doctrine, so far as it is not a pure mystery of faith, upon reason and fact. The investigators of fact and the weighers of reasons, whom the Pontiff has associated with him in the present case, are the members of the Biblical Commission. They form a tribunal of judges composed of men all of whom are alike interested in the maintenance of religion and in the progress of Biblical science, men to whom the Pope defers as to a jury, surrounded with all the safeguards of impartiality that human economy and conservative wisdom can devise. The judgment of this tribunal, which represents international and specialist scholarship in every branch of Biblical learning, yet which is constituted of men who have the preservation of the Christian religion at heart and who fully understand the relation which Biblical criticism bears toward the standard of supernatural faith, should of itself command our respect and reasonable assent. But when this judgment is made, additionally, the command of an authority which appeals to us on legitimate grounds in the name of Christ, then all doubt must

vanish as to our obligation. The Pontiff states that the decisions of this Biblical Commission bind us in conscience, an injunction which is not at all modified by our capacity to value the objective truth or reasons implied in the decisions. For as a child is bound in conscience to obey its parent, whether it understands the reasonableness of the thing commanded or the relation it bears to objective truth, so is a subject of any community bound to the authority that commands it when the authority is lawfully constituted and the obedience is imposed for the preservation and good of the community. The penalties of excommunication are not indeed nominally attached to any disagreement with the pronouncements of the Biblical Commission; they meet those who seek to discredit the authority of the documents which endorse the decisions of the Commission, as set forth in the Encyclical *Pascendi Dominici gregis* and the Decree *Lamentabili sane exitu*. But the spirit of criticism which causes the unreasonable attacks upon the acts of the lawful executive, is the spirit that invites the elements of disintegration against which the Encyclical and the Syllabus are directed.

A FORGOTTEN THEOLOGIAN AND HIS THEORY OF MORALS.

Dr. Richard Hall, Cambridge University.

SOME TIME ago while looking over the shelves of the library my eye was caught by a venerable-looking quarto bound in limp parchment. Outside it bore the title in faded ink *Hallus: De Quinquepartita Conscientia.* I took the book to my room and soon became interested in it. In these days when the history of moral theology is so frequently perverted to the prejudice of the Church, it may be worth while to give the readers of the ECCLESIASTICAL REVIEW some of the fruits which I gathered from a closer acquaintance with the rare old quarto. But first of all a word about its author.

Dr. Richard Hall was a young student at Christ's College, Cambridge, in the reign of Queen Mary. He took his degree in the year 1556, and was elected a fellow of Pembroke Hall.

He was held in general esteem, and his ability and upright character seemed to insure him a useful and honorable career in life. However, before he took his degree of Master of Arts, Queen Mary died, and Elizabeth succeeded to the throne of England. The new Queen very soon made known what was to be her policy in religion, and young Hall, who was sincerely attached to the Catholic faith, followed the example of many more English Catholics of the time and retired to the continent in search of the liberty of conscience denied to him at home. He first went to Belgium and thence to Rome, where he finished his theological studies and took the degree of Doctor of Divinity. He then returned to Belgium and was given the post of Professor of Morals in the Benedictine monastery of St. Rictrude at Marchiennes not far from Douay.

Before long the disturbed state of Belgium at the time compelled Dr. Hall to retire to Douay, where the English College for the education of priests destined for the work of preserving the ancient faith in England had just been founded by Dr. Allen. At Douay, Hall became professor of Holy Scripture, and it was there that Pits, the author of *De illustribus Angliae Scriptoribus*, made his acquaintance about the year 1580. Subsequently Hall was made canon of the cathedral church of St. Omer and official of the diocese. He died at St. Omer in the year 1604.

Pits tells us that Dr. Hall's "piety, charity, affability, and varied erudition, caused him to be held in universal esteem." Dodd, in his *Church History of England*, says that he was "an excellent casuist, and a zealous promoter of Church discipline," that "his writings and behavior were a continual curb to vice and the liberties of the age, and as he was an enemy to complaisance upon those occasions, so the severity of his morals met with some opposition even among the learned." [1]

The *Dictionary of National Biography* testifies that "he was a severe and uncompromising moralist."

[1] Vol. II, p. 70.

While engaged in teaching casuistry to the brethren of St. Rictrude Dr. Hall collected the material which he afterwards used in the composition of his chief work *De Quinquepartita Conscientia.* He tells us in the Dedicatory Epistle prefixed to this work that the general custom was for the professor of casuistry to begin at once with the discussion of cases of conscience. Hall desired to lay the foundations a little deeper, and began with an elaborate treatise on Conscience, for the matter of which he confesses that he was much indebted to the Dominican, John Nider, who wrote his book, *Consolatio Pusillanimium,* about the middle of the fifteenth century. Many years' experience in hearing confessions confirmed him in his estimate of the importance of the treatise on Conscience, and when he was now an old man he devoted the leisure moments which his duties as official of the diocese left him, to the composition of his work. He dedicated it to the Archbishop of Cambrai, a prelate who was zealous for the reformation of morals and the restoration of ecclesiastical discipline. To show the lofty aim which Dr. Hall proposed to himself in publishing his work and as a specimen of his manner, we may quote the following passage from the Dedicatory Epistle:

For when once men's consciences have been put right, and that Augean stable has been cleansed, it will be very easy to establish that external discipline which all good men desire and long for. To achieve this purpose in the first place pious and good men must everywhere be appointed pastors and confessors who will teach others by word and example and who will not like hirelings only feed themselves, and seek after their own gain and advantage; but who will seek God's honor alone and the salvation of souls. From such offices those must be excluded who are addicted to gluttony and other fleshly vices, as well as the ambitious and the avaricious. When the tribunal of conscience has been put right, the next step will be the external forum, where judges and magistrates must be appointed who are not only upright and incorrupt so as not to be turned aside a hair's breadth from the path of duty by hatred or affection, fear, or hope of reward; but who are as far as possible removed from all striving after popu-

larity and notoriety. Because if they are Thasos there will never be wanting Gnathos who will so distort and blind their judgment with their flattery that they will hardly be able to distinguish good from evil. A very good example of this is furnished by Henry VIII of England who held flatterers in high favor and esteem. Once on his return from a battle in which he had been victorious, and which was fought in defence of the Holy See against those who desired to weaken its authority, he met one of the English bishops who had come to congratulate him on his victory. "Are we not much beholden, Reverend Father in God," said the King, "to the divine goodness for the glorious victory which we have gained over the enemy?" The bishop knew the vainglorious character of the king, and he answered: "Nay, most serene King, Almighty God owes much to your Majesty since you have fought so well for His glory and the authority of the Holy See." The king was not a little puffed up by the bishop's words, and conceiving too high an opinion of himself he not long afterwards fell away from the Holy See and from the faith which he had defended before with his pen and with the sword.

Dr. Hall's book, the fruit of long years of study and practical experience, was published at Douay in 1598. The date of publication is of special interest. The book was an elaborate treatise on Conscience, written by a learned and experienced Englishman, a confessor for the faith, a man of lofty character, somewhat austere even and stern in disposition. Twenty-one years before the publication of Hall's book Bartholomew Medina, O. P., had issued his celebrated *Expositio in Primam Secundae Angelici Doctoris D. Thomae Aquinatis.* In this book the learned Dominican had been the first to propound and defend Probabilism in the modern form. No theologian of the Society of Jesus, whose pet doctrine Probabilism is supposed to be, had as yet written at any length on the subject. In 1599 Cardinal Toletus, S. J., issued his *Instructio Sacerdotum*, and in the same year appeared the Commentaries of Gabriel Vasquez, S. J., on the *Prima Secundae* of St. Thomas. Cardinal Toletus approved of and used the theory, as two or three other Jesuits had already done, but

Vasquez was the first Jesuit theologian who discussed Probabilism at length and defended it. From the historical point of view it may be of interest to inquire what was Dr. Hall's system of morals, and what was his attitude toward the theory of Medina. In this inquiry I propose to adhere strictly to the rôle of the historian. I shall not play the advocate; I shall strive to be as accurate and objective as possible; and I shall let the texts and the facts speak for themselves. As experience has taught me how little we can trust to what is commonly written on this subject, I will only use authorities whose doctrine I have studied at first-hand in their own works.

Catholic theologians have always taught as a primary rule of conduct that it is sinful to do anything which we are not morally sure is right. To act in doubt whether our action is a good or bad one is to manifest a disposition to do it whether it be good or bad, and thereby sin is committed. It is a mortal sin to do what we think is mortal or what we doubt whether it be mortal or not. Hall insists upon this as do all theologians who discuss the point. "In practical doubt," he says, "or in doubt about doing something in this place and time, or, as others say, here and now, when its lawfulness is supported by only probable reasons, it is the constant teaching of all theologians that as long as the conscience is in such uncertainty nothing may be done against this doubt, whether the doubt be equal on both sides, or unequal; and whether there is greater danger on one side than on the other, or equal danger on both sides, for then the text of Wisdom is verified—'He who loves danger shall perish in it;' and it is settled by the authority of all masters that he who exposes himself to the danger of committing mortal sin thereby sins mortally. The text of St. Paul is applicable here: 'Whatever is not of faith is sin.' But what is not according to conscience is not of faith, nor is an action according to conscience—or a certain judgment concerning its lawfulness—when the conscience sways to both sides, hesitates which to choose, and to do what you are not sure whether it be lawful." [2] He

[2] De Quinquepartita Conscientia, L. II, c. 2.

then quotes Origen and Theophylact who explain the text of St. Paul in this sense. The moral certainty of the lawfulness of an action which is required before performing it must not be taken in too absolute or metaphysical a sense. "It is not the result," says Hall, "of evident demonstration, but of probable conjectures, which incline more to one side than the other." [3]

We come to the special subject of this paper when we inquire what rules Hall followed to determine the choice of an opinion when Doctors disagree. He puts the crucial question on this point in the ninth chapter of the second book. He there asks whether it is lawful in morals to abandon an opinion which is more probable and follow one which is only probable. After giving one or two examples in which the question is of practical importance, and quoting the reasons of those who answer the question in the negative, he says:

But we who hope that timid consciences will derive some help from this little work, and who see that innumerable would be the difficulties of pious souls if it were always necessary to inquire which opinion out of many is the more probable, nor could an issue be readily found since an opinion frequently seems more probable to some though it is not so in reality,—supported by the authority of great men we assert that it is sufficient to follow the probable opinion of some Doctor, so that we need not adopt those obscure arguments by which some maintain that the more probable opinion must be discovered and followed. For as that is a probable opinion in the schools and in disputations which can be defended without incurring any note of error, so in practical matters that is probable which we can follow without sin or danger of sin. For a probable opinion is not so called because it can be supported by reasons drawn from either side, for in this sense many errors and heresies, such as that of Arius, have more numerous, and in appearance more probable arguments in their favor than have some truths held by Catholics. But a probable opinion is so called because it seems probable to one or more men of learning, or to those whose knowledge is specially

[3] L. c., L. III, c. 14.

known and approved. Since then this is agreeable to right reason and is confirmed by the judgment of learned men, why may we not follow it? Is it because the other opinion is more probable? But we are not always bound to follow what in everything is more perfect, because it is sufficient if a thing is perfect in its kind; and since in the schools and in theory it is lawful to defend that which is probable, what hinders us from being able to follow that which is probable in practice and in action? And so this is lawful provided that the opinion which we judge to be probable is not evidently contrary to Holy Scripture or a decision of the Church, as St. Thomas says, and if one can by one's own knowledge or that of another who is worthy of confidence answer the reasons to the contrary, or at least one sees that clever men despise them; for a good argument in practical matters is derived from the praiseworthy life and excellent doctrine of good and holy men. And indeed though there are some precepts which are common to and obvious to all, and of those no one who has the use of reason and free will can or ought to be ignorant, such as the precepts of the Decalogue which natural reason and Holy Scripture clearly manifest to us; there are others which Holy Scripture and ecclesiastical decisions leave uncertain, as is the case with many contracts. No one should violate the former on account of the opinion of any Doctor whatever; but in the latter which are not yet settled by a decision of the Church we may follow the opinion of some Doctors against others, provided that we are ready to stand by the judgment of the Church, if she determine otherwise, make restitution if required, and in the meanwhile form for ourselves a good conscience in everything without hesitation or notable doubt to the contrary.

In this passage Hall formally adopts the theory which Bartholomew Medina had formulated some twenty years earlier and which is known as Probabilism. In the extract which I have quoted he does not mention either Medina or any one else by name; he is content with saying in general terms that his doctrine is supported by the authority of great men. However, he does mention Medina on the next page and in the same context, and by other frequent references to him Hall shows that he was largely indebted to him for his doctrine. He

makes use too of the principal arguments by which Medina proved his theory. In adopting this view he was clearly of the opinion that he was adopting no novelty, he was merely making use of a ready formula for what in substance had been taught by the older theologians. This comes out well in a passage which occurs in the sixteenth chapter of the third book on a Scrupulous Conscience. He there says:

The scrupulous are often tortured at reading the chapter *juvenis, de sponsalibus*, in which the saying occurs—"The safer way must be chosen when in doubt"; from which they think it follows that in everything that course must be chosen which is the furthest removed from all appearance of sin. But if this be granted them, nobody can ever be certain that in any of his actions he has played the part of an honest man, without being afraid that he could have done better. However, the answer to this is easy: it is not necessary always to choose the safer way; it is sufficient to choose that which is safe, as was said above when I was treating of a probable conscience in questions where Doctors differ. I there said that it is not necessary to follow the more probable opinion; it is sufficient to hold that which is probable when both are defended by approved authors. And Navarrus gives this advice as a special remedy against scruples, viz., to adopt one out of several opinions, choosing first of all in the external forum that which is confirmed by custom, unless it is clearly against the natural or divine law, for against these custom can do nothing. But if the matter be doubtful, custom can interpret it, and such interpretation is to be followed. If there is no such custom, that opinion should be preferred which rests on some text, and against which it is not easy to find arguments, though the common opinion may be on the other side, and that, although the chief question may be concerning one law and the text concerning another. Furthermore, that opinion among several should be chosen which rests on an argument which cannot easily be answered. And if none of these rules is applicable, the common opinion should be chosen, that namely which is known for certain to be the common opinion; and if there is no common opinion, that should be chosen which rests on better grounds and reasons, although they may be arguments which can be answered without difficulty because other things being equal

a double or a triple cord is broken with greater difficulty. But where none of these rules applies, the more lenient and more favorable opinion is to be followed. The more lenient and the more favorable opinion is that which favors an oath, marriage, dower, will, freedom, a ward, widow, stranger, or other miserable person, or a private person against the exchequer, when the exchequer bases its action on the wrongdoing of a private person; otherwise the contrary holds. That opinion also is more lenient and more favorable which upholds the validity of the act, whether the act whose validity is in question be a last will, or a statement of claim, or a joining of the issue, or a sentence, or any judicial act, rescript, or privilege. For the presumption in favor of the act outweighs other considerations, although the validity of the act redounds to the advantage of the plaintiff, and to the disadvantage of the State. With these exceptions that opinion is the more lenient which favors the defendant. And if one opinion is better than another in none of these ways, that should be held which those Doctors affirm who excel in authority or knowledge in the matter in question, as theologians if the question belong to theology, canonists in canon law, legists in civil law; for in all these ways an opinion is probable although perhaps the contrary is sometimes more probable.

It is obvious that in thus quoting what Navarrus teaches about the various methods for choosing an opinion and forming one's conscience when Doctors disagree, Hall believed that he was merely putting his own theory in other words. "In all these ways," he says, "an opinion is probable although perhaps the contrary is sometimes more probable." [4]

What Hall quotes from Navarrus is merely the common teaching of theologians on this question previous to the time of Medina. Angelus de Clavasio, O. F. M., who published the first edition of the *Summa Angelica* in 1486, teaches the same doctrine in almost identical terms, as also does Prierias, O. P., who issued the first edition of the *Summa Sylvestrina* in 1516. So that according to Dr. Hall the theory of Probabilism was no novelty; it was merely a short and convenient way of stat-

[4] "Nam totidem modis opinio fit probabilis; etsi fortassis altera sit interdum probabilior."

ing a theory which was supported by the common consent of theologians of all schools. This was not an opinion peculiar to Hall; it was shared by all his contemporaries, as is clear from the fact that Medina's formula was at once accepted by theologians of all schools as an accurate and convenient statement of what they all held. Let us take a few examples. Michael Salon, a Spanish Augustinian, published his *Controversiae de Justitia et Jure* in the year 1581, four years after the publication of Medina's work. Salon holds with Medina "that it is lawful to abandon the more probable opinion and to follow that which is probable and believed to be true, while to follow the more probable is merely matter of counsel." He adds that this is the opinion of "many and very eminent Doctors, especially among the followers of St. Thomas; that more numerous and more eminent authors and more weighty reasons can be quoted for it than for the opposite opinion; and that these reasons cannot be refuted, while those on the other side can be refuted." [5]

Gabriel Vasquez, the first Jesuit theologian who wrote at length on the question, published his *Commentarii ac Disputationes in Primam Secundae S. Thomae* in 1599, one year after the publication of Hall's book. Vasquez says: "I think the opinion is true which Bartholomew Medina follows, and which was already common in the schools and long before his time, viz., that a man of learning may act on the opinion of others although that opinion is less safe and in his judgment less probable (provided that it be not destitute of reason and probability) against his own opinion which he considers to be more probable." [6]

John Azor, S. J., published the first volume of his *Institutiones Morales* in the year 1600. He gives the common rules in vogue at the time for the choice of opinions; they are identical with those which have been given above as quoted by Dr. Hall from Navarrus. Incidentally he mentions the formula of Probabilism, and says that although authors have not

[5] Quest. 63, a. 2, controv. 2, conclus. 4.

[6] Disp. 62, c. 4.

taught it, yet it can be defended by this conclusive argument: "Because that is well done which is done prudently; but one who is guided by the advice of others acts prudently; and therefore one who in his actions follows a probable opinion of Doctors acts prudently." [7]

These theologians whom we have quoted are merely specimens of great numbers of all schools who might be mentioned. With the solitary exception of the Jesuit Comitolus, we have to wait for another forty years before a dissentient voice is raised against Probabilism. Comitolus, an Italian theologian, published his *Responsa Moralia* in 1608. He brands Probabilism as the shameful lapse of Armilla, who, this writer asserts, taught it in his *Summa,* while other representative authors are quoted as upholders of Probabiliorism.[8] With this solitary and not very weighty exception Probabilism was the universally accepted theory of Moral Theology at least from the time of the publication of Medina's book till the rise of Jansenism in the middle of the seventeenth century. This historical fact of itself is very significant, and it will have the greatest weight with those who are acquainted with the conservative instincts and the quickness to detect novelties which have always been characteristic of theologians. Furthermore, it is the simple fact that in practice the rule of Probabilism when applied to the solution of disputed questions made no difference in ethical doctrine. The laxity of some authors who abused the theory should not be attributed to sound Probabilism. It is merely a universal formula applicable in all disputed questions of right and wrong, and therefore a convenient substitute for the many and diverse rules which were in use before Medina's time. The practical solutions of ethical questions remained the same, though they were arrived at by a different and more simple process after the introduction of Probabilism. This will be more clear if we continue the last extract from Dr. Hall where we left off. He continues thus:

[7] Lib. 2, c. 16.

[8] Lib. 5, q. 15.

The same author, Navarrus, gave four very useful rules for the use of those who make choice of one opinion out of many. First, that a judge, counsellor or agent, who is going to judge, advise, or do anything in a doubtful matter, before doing it, should, to avoid sin, forthwith drive that doubt out of his mind, and believe or hold for certain that the opinion which he chooses is true; and that he ought to judge according to it in that case; because if before doing it he judged what he advised or did to be doubtfully right, he would commit sin by exposing himself to danger of a doubtful conscience. Secondly, he remarks this, that in both the tribunal of justice and of conscience, one and the same man, in one and the same matter, both may and ought to believe something to be true under one respect for one reason, and the contrary to be true under another respect for another reason. As, for example, a woman may and ought sometimes to believe that the man with whom she lives is her husband with regard to rendering to him his marital rights, but the contrary when there is question of demanding them for herself. Thirdly, that although in a court of law, the rules which we borrowed from Navarrus are to be applied, yet in the forum of conscience to avoid sin it is sufficient to choose as true the opinion of one whom we deservedly consider to be a man endowed with the knowledge and uprightness necessary to form a sound opinion. For, he says, the right understanding of the common saying—"The safer opinion must be chosen in doubt"—is that it is applicable only in negative doubt, which does not exist when a view is held with sufficient authority and reason, nor when one opinion is chosen as true out of many. Fourthly, that an opinion is not to be called common so as necessarily to be preferred to another on the sole ground that many follow it like sheep one after another, for in this respect, he says, I should consider that to be the more common opinion which six or seven classical authors defend and who professedly treat of the matter, than an opinion approved by fifty who were almost entirely led by the authority of others. He even thinks that both opinions may be said to be common when each is defended by eight or ten authors of weight who choose it deliberately.[9]

Prierias tells us in his *Summa* that theologians were unani-

[9] Lib. 3, c. 16.

mous in teaching that in doubtful matters where Doctors disagreed a man might safely follow the opinion of his own Master. "And this," he says, "you are to understand not only of one who does his best to get at the truth, for such a one would be excused on account of invincible ignorance even if he embraced a manifestly false opinion; but you are also to understand it of one who from a liking for his own Master forms a probable judgment, as it seems to him that what is false is true."

Although some Doctors distinguished and put certain limitations, still it was commonly admitted that a confessor not only might, but was obliged to, absolve a penitent who wished to follow a probable opinion, although the confessor was convinced that the opinion was less probable and less safe than the opposite opinion which he held himself.

Men who had been taught and who had acted upon such opinions as the foregoing would accept the formula of Probabilism as a matter of course. They were accustomed to the idea that it was lawful to follow a probable opinion even though the opposite might be objectively more probable and supported by greater authorities and better reasons. A confessor was obliged to give absolution to a penitent who wished to act on a probable opinion, though the confessor believed that it was less probable than the opposite which he held himself. In other words, he was compelled in this case to follow a probable opinion of another against his own more probable opinion. The only step that remained to be taken was to show that logically one might always follow a soundly probable opinion even though recognizing at the same time that the opposite was more probable. Theologians who wrote before the time of Medina had not admitted this. The doctrine that in order to act lawfully one must have a certain conscience and no doubt about the lawfulness of the action stood in the way. A man who chooses what he considers to be a less probable opinion exposes himself to the danger of sin, they said; his conscience fluctuates and is uncertain, and so he commits sin. Where there is danger on both sides we

must choose that on which there is less. Moreover, rules of law prescribe that in doubt the safer way must be chosen, and what is uncertain must be abandoned. Besides, a judge would certainly do wrong who gave sentence against a litigant who had more probable arguments on his side than his adversary had.

Medina answers these objections and establishes his theory of Probabilism by pointing out that one who follows a probable opinion exposes himself to no danger of committing sin. The opinion in question is admitedly probable, that is, it is approved, and so there can be no danger of committing sin by following it; if there were any such danger, the opinion could not be approved as a rule for action, it could not be probable. The opposite is more probable and more safe, it is true, but we are under no obligation to follow the safer way; it is sufficient if we follow one that is safe. Medina admits that a judge is bound to give sentence in favor of the litigant who brings the stronger arguments; probabilism has nothing to do with this case, for here there is no doubt but that the litigant has a strict right to sentence being given in his favor; but he maintains that when there are two opinions about the interpretation of a law the judge may follow a probable against a more probable opinion.[10]

In this Medina was followed by Salon, Dr. Hall, and other theologians, but this last proposition was rejected by Vasquez and others, and finally it was condemned by Innocent XI, 2 March, 1679. Besides his opinion about a judge, there was another weak point in Medina's exposition of his theory. To the argument that one who acts on a probable opinion, acts with the consciousness that the opposite opinion may be true, and so acts in doubt and against his conscience, Medina replies: "One who in these cases acts against his own opinion, does indeed act against a speculative doubt or opinion, but he does not act against his conscience, for he is convinced and has made up his mind that when there are two probable opinions one may follow either indifferently." [11]

[10] L. c., Quest. 19, a. 6.

[11] Quest. 19, a. 6.

But, it may be asked, what ground has he for being certain that he is acting lawfully when he acts according to a probable opinion? Medina virtually replies that the certainty rests on his own judgment or on the judgment of prudent and good men that there is no danger of sin in following the opinion; that is what a probable opinion means. And it is certainly lawful to do what there is no danger of sin in doing. The maxim that in doubtful matters one may do what prudent and learned Doctors judge to be safe was, as we have seen, commonly admitted by theologians, and in general it is a safe rule of conduct. However on the theoretical side the basis of the maxim is weak. We have seen that Medina and other approved authors misapplied Probabilism to questions of law in the external forum. It would be easy to give instances where scores of approved theologians have gone wrong and held untenable opinions. Whence one might conclude that an opinion is not necessarily probable because it is judged to be so by a number of prudent, good, and learned men. We might reply that, although this is so sometimes, as a rule the judgment of good and learned men is correct, and therefore is sufficient ground for moral certainty. However this may be, modern probabilists prefer other methods of forming a certain conscience by means of a probable opinion. For this purpose they use reflex principles, such as—"A doubtful law does not bind." Virtually the process takes some such form as this: When there is a probable opinion that a particular action is lawful, there is no certain law which forbids it; such a law is at most doubtful. But a doubtful law cannot impose a certain obligation, or in other words a doubtful law does not bind. This is one of the favorite arguments of St. Alphonsus.

In his method of forming a certain conscience by means of a probable opinion Dr. Hall follows Medina and other theologians of his time. In the ninth chapter of the second book from which we quoted above, he argues as follows:

As to what some say, that a man would expose himself to the

danger of committing sin by following a probable opinion and abandoning one that is more probable, this we deny absolutely, seeing that in doing this learned men see no danger of sin. In doubts, indeed, the safer opinion must be followed, because there is danger on both sides; but when one opinion is probable and another more probable, both are safe in morals, though the latter may be safer. And when the canon law says that what is more certain must be followed in case of doubt, it supposes that there is danger on both sides; and this we maintain is by no means the case when there are two opinions of which one is probable though the other is more probable. The reason is because in a question of morals not settled for certain by Holy Scripture or by the Church, it is safe to follow that opinion which one sees approved by a good and wise man. Finally, we allow that a judge ought to give sentence for the party which brings the better proofs of its claim, but when there are two opinions in law, of which one is only probable and the other more probable, he can follow the probable opinion, nor need he investigate which is the more probable so as necessarily to follow it.

Vasquez, the first great Jesuit theologian who treated the question *ex professo,* not only rejected this opinion about the judge, as we have seen, but required the support of more than one Doctor to make it lawful to follow an opinion against one that is recognized by the agent as more probable. He also required that the opinion should be commonly held not to be erroneous, but still to maintain its probability, and thus not to be obsolete.[12]

In both these points Vasquez was followed by the great body of Jesuit theologians, and we see how true was the remark of the learned Cardinal D'Annibale that the Jesuits, far from being the inventors of Probabilism, were as a matter of fact its moderators.

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[12] Disp. 62, c. 4.

THE NEW MARRIAGE LEGISLATION.

I. The Text of the Law.

Decree of the Congregation of the Council.

THE Council of Trent, *cap. I, Sess. XXIV de reform. matrim.*, made prudent provision against the rash celebration of clandestine marriages, which the Church of God for most just reasons has always detested and forbidden, by decreeing: "Those who otherwise than in the presence of the parish priest himself or of another priest acting with the license of the parish priest or of the Ordinary, and in the presence of two or three witnesses, shall attempt to contract matrimony, the Holy Synod renders altogether incapable of contracting marriage thus, and decrees that contracts of this kind are null and void."

But as the same Sacred Council prescribed that the said Decree should be published in all the parishes and was not to have force except in those places in which it had been promulgated, it has happened that many places in which the publication has not been made have been deprived of the benefit of the Tridentine law, and are still without it, and continue to be subject to the doubts and inconveniences of the old discipline.

Nor has all difficulty been removed in those places where the new law has been in force. For often there has been grave doubt in deciding as to the person of the parish priest before whom a marriage is to be celebrated. The canonical discipline did indeed decide that he is to be regarded as the parish priest in whose parish one or other of the contracting parties has his or her domicile or quasi-domicile. But as it is sometimes difficult to judge whether a quasi-domicile really exists in a specified case, not a few marriages were exposed to the danger of nullity; many, too, either owing to ignorance or fraud, have been found to be quite illegitimate and void.

These deplorable results have been seen to happen more frequently in our own time on account of the increased facility and celerity of intercommunication between the different countries, even those most widely separated. It has, therefore, seemed expedient to wise and learned men to introduce some change into the law regulating the form of the celebration of marriage, and a great many bishops in all parts of the world, but especially in the more populous states where the necessity appears more urgent, have petitioned the Holy See to this end.

It has been asked, also, by very many bishops in Europe, as well as by others in various regions, that provision should be made to prevent the inconveniences arising from *sponsalia*, that is, mutual promises of marriage, privately entered upon. For experience has sufficiently shown the many dangers of such *sponsalia:* first, as being an incitement to sin and causing the deception of inexperienced girls, and afterwards giving rise to inextricable dissensions and disputes.

Influenced by these circumstances our Holy Father, Pope Pius X, desiring, in the solicitude he bears for all the churches, to introduce some modifications with the object of removing these drawbacks and dangers, committed to the S. Congregation of the Council the task of examining into the matter and of proposing to himself the measures it should deem opportune.

He was pleased, also, to have the opinion of the commission appointed for the codification of Canon Law, as well as of the Eminent Cardinals chosen on this special commission for the preparation of the new code, by whom, as well as by the S. Congregation of the Council, frequent meetings have been held for this purpose. The opinions of all having been taken, his Holiness ordered the Sacred Congregation of the Council to issue a Decree containing the laws, approved by himself on sure knowledge and after mature deliberation, by which the discipline regarding *sponsalia* and marriage is to be regulated for the future and the celebration of them carried out in a sure and orderly manner.

In execution, therefore, of the Apostolic mandate the S. Congregation of the Council by these letters lays down and decrees what follows:

CONCERNING "SPONSALIA."

I. Only those are considered valid and produce canonical effects which have been contracted in writing signed by both the parties and by either the parish priest or the Ordinary of the place, or at least by two witnesses.

In case one or both the parties be unable to write, this fact is to be noted in the document and another witness is to be added who will sign the writing as above, with the parish priest or the Ordinary of the place or the two witnesses.

II. Here and in the following article by parish priest is to be understood not only a priest legitimately presiding over a parish

canonically erected, but in regions where parishes are not canonically erected, the priest to whom the care of souls has been legitimately entrusted in any specified district and who is equivalent to a parish priest; and in missions where the territory has not yet been perfectly divided, every priest generally deputed by the superior of the mission for the care of souls in any station.

CONCERNING MARRIAGE.

III. Only those marriages are valid which are contracted before the parish priest or the Ordinary of the place or a priest delegated by either of these, and at least two witnesses, according to the rules laid down in the following articles, and saving the exceptions mentioned under VII and VIII.

IV. The parish priest and the Ordinary of the place validly assist at a marriage:

(i) only from the day they have taken possession of the benefice or entered upon their office, unless they have been by a public decree excommunicated by name or suspended from the office;

(ii) only within the limits of their territory: within which they assist validly at marriages not only of their own subjects, but also of those not subject to them;

(iii) provided when invited and asked, and not compelled by violence or by grave fear, they demand and receive the consent of the contracting parties.

V. They assist licitly:

(i) when they have legitimately ascertained the free state of the contracting parties, having duly complied with the conditions laid down by the law;

(ii) when they have ascertained that one of the contracting parties has a domicile, or at least has lived for a month in the place where the marriage takes place;

(iii) if this condition be lacking, the parish priest and the Ordinary of the place, to assist licitly at a marriage, require the permission of the parish priest or the Ordinary of one of the contracting parties, unless it be a case of grave necessity, which excuses from this permission;

(iv) concerning persons without fixed abode (*vagos*), except in case of necessity, it is not lawful for a parish priest to assist at their marriage until they report the matter to the Ordinary or to a priest delegated by him and obtain permission to assist;

(v) in every case let it be held as the rule that the marriage

is to be celebrated before the parish priest of the bride, unless some just cause excuses from this.

VI. The parish priest and the Ordinary of the place may grant permission to another priest, specified and certain, to assist at marriages within the limits of their district.

The delegated priest, in order to assist validly and licitly, is bound to observe the limits of his mandate and the rules laid down above, in IV and V, for the parish priest and the Ordinary of the place.

VII. When danger of death is imminent and where the parish priest or the Ordinary of the place or a priest delegated by either of these cannot be had, in order to provide for the relief of conscience and (should the case require it) for the legitimation of offspring, marriage may be contracted validly and licitly before any priest and two witnesses.

VIII. Should it happen that in any district the parish priest or the Ordinary of the place or a priest delegated by either of them, before whom marriage can be celebrated, is not to be had, and that this condition of things has lasted for a month, marriage may be validly and licitly entered upon by the formal declaration of consent made by the spouses in the presence of two witnesses.

IX. (i) After the celebration of a marriage the parish priest, or he who takes his place, is to write at once in the book of marriages the names of the couple and of the witnesses, the place and day of the celebration of the marriage, and the other details, according to the method prescribed in the ritual books or by the Ordinary; and this even when another priest delegated either by the parish priest himself or by the Ordinary has assisted at the marriage.

(ii) Moreover, the parish priest is to note, also, in the book of baptisms that the married person contracted marriage on such a day in his parish. If the married person has been baptized elsewhere the parish priest who has assisted at the marriage is to transmit, either directly or through the episcopal curia, the announcement of the marriage that has taken place to the parish priest of the place where the person was baptized, in order that the marriage may be inscribed in the book of baptisms.

(iii) Whenever a marriage is contracted in the manner described in VII and VIII, the priest in the former case, the witnesses in the latter are bound conjointly with the contracting par-

ties to provide that the marriage be inscribed as soon as possible in the prescribed books.

X. Parish priests who violate the rules thus far laid down are to be punished by their Ordinaries according to the nature and gravity of their transgression. Moreover, if they assist at the marriage of anybody in violation of the rules laid down in (ii) and (iii) of No. V they are not to appropriate the stole-fees but must remit them to the parish priest of the contracting parties.

XI. (i) The above laws are binding on all persons baptized in the Catholic Church and on those who have been converted to it from heresy or schism (even when either the latter or the former have fallen away afterwards from the Church) whenever they contract *sponsalia* or marriage with one another.

(ii) The same laws are binding, also, on the same Catholics as above if they contract *sponsalia* or marriage with non-Catholics, baptized or unbaptized, even after a dispensation has been obtained from the impediment *mixtae religionis* or *disparitatis cultus;* unless the Holy See decree otherwise for some particular place or region.

(iii) Non-Catholics, whether baptized or unbaptized, who contract among themselves are nowhere bound to observe the Catholic form of *sponsalia* or marriage.

The present decree is to be held as legitimately published and promulgated by its transmission to the Ordinaries, and its provisions begin to have the force of law from the solemn feast of the Resurrection of Our Lord Jesus Christ, next year 1908.

Meanwhile let all the Ordinaries of places see that this decree be made public as soon as possible, and explained in the different parochial churches of their dioceses in order that it may be known by all.

These presents are to have force by the special order of our Most Holy Father Pope Pius X, all things, even those worthy of special mention, to the contrary notwithstanding.

Given at Rome on the 2d day of August in the year 1907.

✠ Vincent, Card. Bishop of Palestrina, Prefect.

C. De Lai, Secretary.

II. Exposition.

On reading for the first time the decree of the Sacred Congregation of the Council, published 2 August, 1907, the new

legislation regarding betrothal and marriage seemed very simple. Canonists, however, have been at work, with the result that the Holy See must be called upon to settle difficulties not foreseen.[1] There are three points on which the decree furnishes new legislation: First, *betrothal;* secondly, *marriage,* under the two-fold consideration of (a) its validity and (b) its licitness; thirdly, the proper *registration* of marriages.

BETROTHAL.

Until the new law goes into effect, which will be on 19 April of this year (Easter Sunday), we have to depend in most cases upon the word of the parties to be married as to whether or not they are really betrothed. The law about to be superseded recognizes the contract of engagement without prescribing formalities which, if necessary, could furnish evidence at a subsequent period to prove a real formal betrothal. From Easter time the Church will not acknowledge as canonically binding any contract of betrothal unless a written engagement, mutually made and accepted, and witnessed by authorized persons, has been entered into.

Conditional betrothal contracts are not forbidden by the present provision. The condition, however, should be expressed in writing and duly signed and witnessed; but from this conditional betrothal and written contract the obligation will not arise until the condition be fulfilled.

An important question for pastors and Ordinaries to consider is the advisability of insisting on the written betrothal contract. The eminent jurist, the Hon. Judge Robinson of

[1] Acta S. Sedis, Vol. 40.

H. Haring, Das Ehedekret vom 2. August; M. Leitner, Die Vereinem Anhang über die neue Ehe-Eingehungsreform in Deutschland einem Anhang über die neue Ehe-Eingehungsreform in Deutschland Konstitution "Provida;" Card. Gennari, Breve Commento della Nuova Legge sugli Sponsale e sul Matrimonio; A. Boudinhon, Le Mariage et les Fiançailles: Nouvelle Legislation Canonique: Commentaire du Decret "Ne Temere;" d'Annibale, Summula Theologiae Moralis, (5 edition); Cipriano Arribas, O. S. A., in *Ciudad di Dios,* in all issues since September 5; Ferreres, S. J., in *Razon y Fe,* for October, November, December, January; Mgr. J. Prior, in *The Tablet;* Mgr. Cronin, in *Rome* (from Sept. 14, 1907); Baart, *Extension,* Jan. 1908 (to be continued).

the Catholic University, who has given the subject long years of the most careful study, is of the opinion that nine-tenths of the divorces in the United States are due to hasty marriages. It is his opinion that it would be advisable to encourage the parties to make the written betrothal contract for one year prior to their marriage. Confessors of course know that in many instances an engagement of such long standing would be inadvisable.

While the Catholic Church has not to deal with the question of divorces, she has the serious problem of many unhappy marriages, which, in the opinion of the authority just quoted, are mostly due to hasty alliances. This is certainly the case in mixed marriages. Undoubtedly the written betrothal contract will facilitate the discovery of any matrimonial impediments,—will make it easier for friends and parents to prevent undesirable unions; and, if pastors and Ordinaries deem it advisable to recommend that a definite period, say three or six months, or a year, elapse between the engagement and the marriage, we shall certainly have fewer hasty matrimonial unions.

There is no restriction in the new law forbidding the parties to make the betrothal contract by letter. Even though the law requires that the contract be "in writing signed by both the parties," yet this will not exclude, I think, the parties from authorizing delegates (*procuratores*) to sign the betrothal contract for them. Such a course, while it would not render the document illicit or invalid, should not be adopted except for serious reasons and unless precautions were taken which could prove juridically that a delegate was authorized to sign the betrothal contract. Should the party or parties wishing to make this betrothal contract revoke the consent before the delegate had signed the document, the contract would thereby be null and void. If it were impossible to prove "in foro externo" this withdrawal, the contract would be valid "in foro externo."

It is to be noted that there is no obligation on parties about to be married of entering into this formal engagement.[2]

[2] The writer wishes to make due acknowledgment to the eminent jurist Professor W. C. Robinson, dean of the Faculty of Law at the Catholic

Should prospective husband and wife wish to so bind themselves before their marriage, they should subscribe to a formula similar to the one given. It would seem advisable for all pastors to have printed formulas of the prenuptial contract, rather than draw up one at each request.

SUGGESTED FORMS.

1. WHEN THE BISHOP (ORDINARY) WITNESSES.

We, the undersigned, being of sound mind and possessing sufficient knowledge of the obligations to be assumed, do hereby, freely and unsolicited, mutually promise to enter into Holy Matrimony before the *10th* **day of** *December*, 1908.

In testimony whereof, we affix our signatures on this the *5th* **day of** *June*, 1908.

James M. Smith, **of** ———————

L * S *Mary R. King*, **of** ———————

Witness: ✠ *John R.*, **Bp. of** ———————.

2. WHEN THE PARISH PRIEST WITNESSES.

We, the undersigned, being of sound mind and possessing sufficient knowledge of the obligations to be assumed, do hereby, freely and unsolicited, mutually promise to enter into Holy Matrimony before the *10th* **day of** *December*, 1908.

In testimony whereof, we affix our signatures on this the *5th* **day of** *June*, 1908.

James M. Smith, **of** ———————

L * S *Mary R. King*, **of** ———————

Witness: *Wm. J. Stanson*, **Parish Priest of** *St. Peter's* **Church,**——

University, through whose courtesy and favor he states that "this contract cannot be enforced in the Civil Courts, but would furnish good grounds for a breach of promise suit. The State cannot compel the performance of a contract by which an individual binds his future acts, but if A and B enter into a contract, and B fails in the execution of his part of the agreement, then A can bring suit against B for indemnification. The State recognizes the power of parties to bind their future acts by a marriage contract not because marriage is a mere contract, but because the State regards marriage as a *status* into which all are admitted who are legally married. Further, the State permits no such *status* to be created by any power other than itself, and recognizes no church organization, or society, or individuals as capable of making or unmaking said *status*. This prenuptial contract the State will recognize as it will recognize any other contract legally made by individuals, but will not enforce such contract by obliging individuals to enter the matrimonial *status* created by the State."

3. IN THE CASE OF LAY WITNESSES.

We, the undersigned, being of sound mind and possessing sufficient knowledge of the obligations to be assumed, do hereby, freely and unsolicited, mutually promise to enter into Holy Matrimony before the 10*th* day of *December*, 1908.

In testimony whereof, we affix our signatures on this the 5*th* day of *June*, 1908.

James M. Smith, **of**———
Mary R. King, **of**———

Witnesses: *Richard M. Philipps*, ———
James M. Burns, ———

4. BISHOP OR PARISH PRIEST AS WITNESS, WHEN ONE (OR BOTH) OF THE PARTIES IS ILLITERATE.

Extra witness is necessary.

We, the undersigned, being of sound mind and possessing sufficient knowledge of the obligations to be assumed, do hereby, freely and unsolicited, mutually promise to enter into Holy Matrimony before the 10*th* day of *December*, 1908.

In testimony whereof, we affix our signatures on this the 5*th* day of *June*, 1908.

his + mark *James M. Brown*, **of**———
L * S *Mary R. King*, **of**———

Witnesses:

✠ *John R.*, **Bp. of** ———
(**or** *Wm. J. Stanson*, **Parish Priest**)
Richard M. Philipps (**Extra Witness**).

5. LAY WITNESSES, WHEN ONE (OR BOTH) OF THE PARTIES IS ILLITERATE.

Three witnesses are necessary.

We, the undersigned, being of sound mind and possessing sufficient knowledge of the obligations to be assumed, do hereby, freely and unsolicited, mutually promise to enter into Holy Matrimony before the 10*th* day of *December*, 1908.

In testimony whereof, we affix our signatures on this the 5*th* day of *June*, 1908.

his + mark *James M. Brown*, **of** ———
Mary R. King, **of** ———

Witnesses:

Rich. M. Philipps, **of**———
James N. Jones, **of**———
Philip T. Maher, **of**———

Any one of the above formulas would make the engagement contract valid and binding.

If a priest is to sign the contract, ordinarily it should be the pastor of the prospective bride; but the signature of the pastor of either party will make the contract valid.

It is interesting for us to inquire whether unwritten promises of marriage will be binding in conscience after Easter 1908? The eminent Cardinal Gennari assures us that these will carry with them no obligation.[3] As the marriage contract, among Christians, is identical with the sacrament, so now the Church decrees that every prenuptial contract, among those of her children whom she wishes to bind, is no contract at all unless it be made in writing and duly attested. Hence confessors need not trouble themselves about verbal promises.

The new conditions for engagement are prescribed only when the contract is bilateral; hence if John Brown promises and binds himself orally to marry Catharine Breen, while the latter holds herself uncommitted and free to engage herself or not, we have what appears at first sight the anomaly that John is bound by the contract while Catharine is under no obligation. The reason is simple, namely, the Church, in the new legislation here under discussion, has made no conditions or restrictions for unilateral contracts.

It is to be further noted that what would render an engagement invalid or illicit under the present law will likewise make it null and void or illicit after Easter. Thus a man becoming engaged under conditions that would render his subsequent marriage invalid or sinful would not be really engaged; for example, a man who had not approached the Sacraments at Eastertime promising to marry, with no intention, however, of putting himself in the state of grace for his marriage, could not be held to a promise the fulfillment of which would be a sacrilege. A Catholic man, for instance, wishes to marry a Methodist woman. The latter is bigoted and under no consideration will she consent to be married by a priest. They become engaged, even subscribe to the above formula of en-

[3] "Breve Commento della Nuova Legge sugli Sponsali e sul Matrimonio." *Rome*, Mgr. Cronin, D. D.

gagement and have the same witnessed by two friends, under the condition, however, that the marriage take place before a Methodist minister. Unless some modification in the new decree be made, the aforesaid engagement would be invalid, for one cannot bind himself to commit a sacrilege or subject the Sacrament of Matrimony to nullity.

VALID MARRIAGES.

After Easter, the presence of two witnesses, and the Ordinary or the parish priest of the place where the marriage is contracted, or a priest delegated by either of these, is necessary for the validity of marriage. The only point to offer difficulty is to determine unmistakenly who is the parish priest. For a clear understanding of the question we must keep in mind the distinction that is made between the territorial *parochus* and the *parochus in ordine ad matrimonium* according to the present decree. The latter class only concerns us and in it are included, first, our *irremovable rectors;* secondly, regularly appointed *pastors* "ad nutum ordinarii"; thirdly, *pastors pro tem.* in any parish; fourthly, *pastors of missions,* that is, pastors who have a mission or missions attached to their churches, are considered "parochi in ordine ad matrimonium" for said missions; fifthly, in the missionary districts of the United States, where there are no parishes, any priests or missionaries assigned by bishops to care as best they can for the scattered flocks, are to be considered as having the right of parish priests in witnessing marriages. The aforesaid priests can delegate other priests for their (i. e. the delegating priests') parishes and districts.[4] An important question for us is the determination of the status of our assistant priests. *A priori* it would seem desirable to have uniformity of legislation for the whole country. This, however, is a question for our bishops and pastors to settle. They can, if they wish, make all assistants "parochi in ordine ad matrimonium",[5] and if they be not so appointed, difficulties can

[4] Gasparri, II, n. 1124, p. 158, ed. 1904. [5] *Ib.*, n. 1086, p. 134.

arise about invalid marriages owing to the absence of proper delegation. If an assistant priest be delegated by either bishop or pastor to witness any or every marriage that may come to him, he can for particular cases subdelegate.[6] If bishops or pastors should delegate an assistant priest to witness a certain number of marriages, the assistant cannot subdelegate.[7]

If marriages should be declared null and void because of the failure to secure proper delegation, it would be a source of great scandal here in America where we insist so much to our Protestant brethren on the indissolubility of marriage in the Catholic Church. Whilst a non-Catholic public accepts the law of the State which will not recognize a contract in the absence of certain positive prescriptions, yet (although unreasonably so) the same public will look askance at the Church for declaring a marriage invalid because the priest was not duly authorized. The faithful are not canonists, and it will be difficult to explain to them why any priest cannot perform the marriage ceremony. To the writer it would seem advisable that our assistant priests be "parochi in ordine ad matrimonium," thus allowing them, if necessary, powers in any particular case to delegate priests of neighboring parishes or cities to perform the marriage ceremonies in the churches or localities to which they are assigned. Bishops and diocesan synods, we think, may forbid these assistants to give this delegation "quoad liceitatem" without consulting the parish priest. If this diocesan law be disregarded, the delegation would be illicit but valid. It will be easier to settle the question of disobedience to diocesan authority than to solve the many difficulties arising in a community from invalid marriages.

It would be advisable for assistant priests or for any dele-

[6] The presence of the parish priest is not an act of jurisdiction, but merely the act of assisting as an authorized witness to marriages; hence to speak of delegating is inaccurate, for it is really the appointment of a substitute. Werns, *De Matrimonio*, n. 180, p. 284.

[7] *Ib.*, p. 285.

gated priests to have their delegation in writing, not for the sake of contesting cases with the bishop or pastor, but as testimony in settling doubts about the validity of a marriage, if such should subsequently arise. Presumed delegation is not sufficient for the validity of marriage. Tacit delegation is very uncertain, for if it resolve itself to the presumed or interpreted, it renders the marriage invalid; but the Council of Trent or the decree "Ne temere" [8] do not exclude it for the validity of marriages.

The prescriptions of the decree should be kept in mind.[9]

I. (a) Every Ordinary can validly marry all parties in all churches or localities of his diocese, irrespective of the country or place from which the parties come. (b) The Ordinary can delegate any bishop or priest to do the same.

II. (a) Every parish priest, or every priest who is "parochus in ordine ad matrimonium," can validly marry all parties from any part of the world who come to him in his parish church or within the limits of his parish or his jurisdiction. (b) The aforesaid priests can validly delegate any priest to do the same. (c) The number of "parochi in ordine ad matrimonium" in a diocese depends on the bishop and pastors. (d) A priest must have actually assumed charge of his duties before he can act as "parochus in ordine ad matrimonium" in any parish or locality. Thus the mere appointment of a priest to a parish or mission does not give him the right to perform marriage ceremonies for said parish, nor authority to delegate others, until such time as he has entered upon his office. (e) Three changes are to be noted in the law: first, a suspended or excommunicated priest whose name is explicitly mentioned in the excommunication, but who has not been deprived of his office, can no longer validly perform marriage ceremonies. A second change is that the priest who now assists at a marriage must be a willing

[8] Werns, ibid., n. 180, p. 289, note 221.

[9] Very probably the Apostolic Delegate, the Most Rev. Diomede Falconio, D. D., can validly marry everywhere in the United States any parties, no matter from what country they come.

witness who asks and receives the consent of the contracting parties; this is a condition for validity. Formerly a marriage was valid even though violence or force were employed to secure the presence of the pastor. When a priest performs a marriage ceremony because of a threat or any action inducing grave fear, the marriage is invalid. A third change is that the Ordinary outside his diocese and the parish priest outside the limits of his parish, can not validly assist at the marriage of their own subjects without due authorization.

TWO WITNESSES.

According to the decision of the Congregation of the Council [10] a marriage will be invalid after Easter, if two witnesses are not present. One witness will not suffice. The new decree specifies no qualifications for the witnesses, hence, women, minors, secular or regular clerics, infidels, excommunicated persons, heretics, etc., can be called on to assist validly at the marriage ceremony. Many diocesan statutes rightly forbid several of the above classes. The violation, however, of the diocesan statute would not render a marriage invalid.[11]

LICIT MARRIAGES.

The Ordinary or the duly authorized priest having observed all that is required for the validity of marriage, can licitly perform the ceremony of matrimony by observing the following prescriptions:

I. Although local contrary custom has modified the general law [12] which requires that witnesses of marriage testify under oath as to the freedom of the contracting parties, still the parish priest or Ordinary is under a serious obligation to ascertain as best he can the freedom of the future husband and wife. This is especially true in the case of strangers and foreigners, from whom testimonial letters from their former parish priest or priests should be required.

[10] 14 Jany., 1673. Gasparri, II, n. 1155, p. 178. [11] *Ibid.*

[12] Clement X, 1670 et Inst. ad Episcopos Orientales, 1890. Coll. de Prop. Fid. 1376, ed. 1893.

II. To acquire a domicile two conditions are necessary: first, actual habitation in the parish where the marriage is to be contracted; secondly, the intention of permanent residence there. A month's residence actually begot a quasi-domicile in the United States for such as came from a place where the *Tametsi* obtained.[13] Now for the Universal Church the law is simplified, by requiring for licit marriage at least a month's residence, if a domicile be not had. It must be one or the other. Actual habitation in a place for a few days, with the intention of remaining there the greater part of the year, (which constitutes a quasi-domicile) is not sufficient according to the new law to allow the parish priest of the contracting parties to witness licitly the marriage. At least a month's residence is required.

III. If neither of the parties to be married have a domicile, or a month's residence, then the Ordinary or the parish priest in order to assist licitly at the marriage, should obtain permission from the Ordinary or the pastor of the bride. If there be a good reason for not asking the Ordinary or the bride's pastor, permission may be obtained from the Ordinary or the parish priest of the groom. In case of grave necessity, permission need not be obtained from either pastor. By grave necessity we think is here understood anything that would involve a serious inconvenience if this permission were obtained—such as avoiding scandal or defamation of character, notable financial loss or expenditure, etc.

IV. Either the Ordinary or a priest whom the Ordinary has delegated must grant permission before any parish priest can licitly witness the marriages of persons without a fixed abode. Necessity excuses the priest from obtaining the permission. In large dioceses, it would seem advisable for the Ordinary to appoint the deans or other suitable priests, with authority to decide in their localities, on the case of "vagi." It is to be noted that the previous number (*III*) requires the existence of a *grave* necessity. Whilst in the present num-

[13] Balt. Conc. III, Append. 255.

ber (*IV*) necessity excuses; by which we think is understood want of sufficient time to consult the Ordinary without causing a rather serious inconvenience or a considerable financial loss, or giving some scandal, or the moral certainty that upon his refusal the parties (*vagi*) will be married immediately by a minister or State official, or the fear that they will live in concubinage.

V. The general rule is that the marriage ceremony should take place in the bride's parish; and the exception, in that of the groom. If the bride, however, should have a domicile in one parish and a month's residence in another we think that she should be married where she has the domicile, unless she is to acquire immediately a domicile where she had the month's residence. If the groom have a domicile in one parish, and the bride a month's residence in another, Cardinal Gennari[14] thinks the marriage should take place in the groom's parish. It is a most reasonable interpretation that such a case furnishes not merely a "justa causa," but was not intended to fall under the word of the law,—"let it be held as a rule." If the contracting parties are to acquire immediately after marriage a domicile where the bride had a month's residence, it would seem but just that the ceremony be celebrated in the latter place. The pastor of the groom may witness the marriage whenever there is a good reason. Not every little reason can be called a just reason. Difference between the future bride and her pastor which would mean for the latter a severe correction, or a deep humiliation—or when the pastor of the groom is a very special friend either of the groom or the bride, or the parties intend residing in the groom's parish where they wish to have the marriage ceremony, we think a "causa justa."

VI. Providing the priest is clearly and unmistakably delegated, the Ordinary may permit any priest to assist licitly at any marriage in the diocese, and the pastor may grant the same permission for the limits of his parish.

[14] Breve Commento.

EXCEPTIONAL CASES.

I. In case of proximate danger of death, when the Ordinary or the parish priest, or a priest delegated by either of them, can not be had, any priest with two witnesses can validly witness a marriage entered into on a deathbed as a relief of conscience, and the legitimatizing of the children (if there be any).

The question of the first exception, if it may be so called, is not one where the party is "in articulo mortis" but in "periculo mortis." Cardinal Gennari [15] interprets in a sensible and broad spirit, as is usual with him, the words "cannot be had," to mean, that there is not sufficient time to go for the Ordinary or parish priest, allowing them also time to come to the dying person. This calculation is not, he says, to be mathematical, but moral; hence, not certainty, but probability, is required. If a doubt exist, give the dying person the benefit of the doubt. The same authority holds that one may make use of the telephone or telegraph in obtaining, in such a case, the proper delegation. By decrees of the Holy Office 20 February, 1888, and 9 January, 1899, Ordinaries could delegate parish priests, or those in charge of a parish (not "parochi in ordine ad matrimonium") to dispense from all diriment matrimonial impediments in case of death (*in extremis*).

The exception of two impediments was made: first, priestly ordination, and secondly, affinity "in linea recta ex copula licita." How do we stand to-day in regard to this faculty? Can our priests, when a party is dying, dispense from the impediment of clandestinity, that is, can they dispense with the two witnesses? The solution may be clear from the following. Our pastors (not our assistant priests "vi decreti generalis"),[16] provided they be delegated by the Ordinary, can, after Easter, when they assist at a marriage "in extremis," dispense from all diriment matrimonial impediments, except—

[15] *Ib.*

[16] Very probably our Bishops obtained special indults for the United States by which they can likewise delegate our assistant priests. Owing to our peculiar circumstances our assistant priests would have more occasion to exercise this faculty than our pastors.

1. Priestly orders; that is, they cannot validate any attempted marriage of a priest;
2. Affinity as above stated;
3. Clandestinity—(they must have two witnesses).

Our assistant priests, as well as any priest, whether of the diocesan or the regular clergy, while they can validly assist at the marriage of parties when one is in danger of death, cannot:

1. dispense from the matrimonial diriment impediments mentioned in the decree of the Holy Office, unless our Bishops have received special faculties;
2. dispense with the two witnesses.

II. If in any of our missionary districts parties cannot during one month or more secure the Ordinary or a missionary assigned to their territory or a priest delegated by either of these, they can in the presence of two witnesses (no priest being present) enter into the marriage contract and validly and licitly receive the Sacrament of Matrimony. According to the eminent canonist Cardinal Gennari [17] a month means thirty days. Parties so situated are not obliged to wait one day over the month, but during the month they should make every reasonable effort to find a duly authorized priest. They would not however be obliged to put themselves to an inconvenience which would constitute for them a "*grave incommodum.*" Such a marriage would not be recognized by the State except in those States where the common-law marriage holds; hence to have their union regarded as legal, the parties can give the formal declaration of their consent to marriage before a notary public. If parties so situated do not express their consent, either at the time of their marriage, or subsequently, before any duly authorized civil magistrate, they should on the first opportunity of meeting any priest recognized by the State as an official, go through a ceremony that would legalize their marriage and thus prevent a great many possible difficulties that could arise in our courts.

It might be asked whether parties who have declared their mutual consent according to this exceptional provision (hence

[17] Breve Commento, *Ib.*

truly and licitly married before God), may, if no State official can be found, allow a schismatical or heretical minister to legalize their marriage. If they make the protestation to the minister that they seek his presence only as a State official and moreover if they absolutely exclude the ceremony or ritual of every sect, this in our opinion might be justified; but such a course should not be encouraged.[18]

THE NEW AND CORRECT REGISTRATION.

The Italians say, "Gli Americani sono molto pratici." The American priest without much reflection will conclude that he could have excogitated a more practical system of registration than the one prescribed, but on fourth or fifth consideration he will see the great advantage of having more than one record of a marriage. Any American priest is not merely at liberty to try to devise a good method, but he will elicit the heartiest approbation of his confreres, if he succeed in arranging a convenient and satisfactory registry of baptisms and marriages. In such a registry he can introduce all the advantages and accurate methods employed in our civil courts for the proper registration of marriages, bearing in mind the following facts to be recorded in the *Marriage Registry:*

I. 1. Names of parties married.
2. Names of the witnesses.
3. Names of church and place where wedding took place.
4. The year, month, and day of celebration.
5. Any other facts or names which the Ritual Ordinaries or diocesan Synods may prescribe to be recorded.
6. Name of the priest who performed the marriage ceremony.

[18] We think the excommunication of the third Baltimore Council (n. 127, p. 65) was not intended for such a case. The parties in the case above given are married validly and licitly in the eyes of the Church and before God. They present themselves to the minister for the sole reason that he is a State official, so that their children may not be illegitimate before the State. Such a protection is due the wife especially; for unconscientious men could leave their wives and marry again; and for the innocent party there would be no redress, because the State recognized no marriage.

It must be carefully noted that the purpose of this law is a serious one; hence under grave sin [19] must the Ordinary and parish priest see that substantially correct registrations be made. The writer would suggest that in the marriage registry two other columns be introduced, one marked *Registrum Baptismorum*, where he should note that he has recorded the marriage in the Baptismal Registry if the parties were baptized in his parish. The other column could be *Notitia ad Paroch*$^{um}_{os}$ *mittenda*. In this section might be written the fact that due notice was sent to the parish priest or priests where the parties were baptized. These two columns would remind the priest every time he made an entry in the marriage registry of these newly imposed duties of registration. At first thought it may seem very strange to record the marriages in the Baptismal record; but let us suppose that John M. Smith and Mary B. Green were married in church *A*. John was baptized in the church *B*, and Mary in church *C*. If at any subsequent period a doubt should arise as to whether these parties were married, we should in looking up the case have three records of the marriage instead of one. Hereafter if one registry be destroyed, we may have one or two other records to consult. Rome, in legislating on such a point, must certainly prefer to have two or three records of a marriage, even at the cost of the little inconvenience of double registration. The question of proper registration may mean a great deal to Rome when she is deciding a matrimonial case, while the extra registration or the sending of due notice for registration, is only a question of a minute or two for the priest. Fewer mistakes might be made in our registries if our parochial records were kept in English.

II. We fear our priests will fail in their duty of writing a letter or two letters, as the case may be, to the parish priests of the places where the parties were baptized, unless some convenient and practical system be adopted. There will be more likelihood of such a failure if the letters must go to, say, Poland and Russia. For the proper and convenient ob-

[19] Breve Commento.

servance of the law we suggest that the pastor of every church have a printed formula something like the following made out in a concise form. A book of formulas could be gotten up in the manner shown here:

NOTIFICATION FORM FOR THE BAPTISMAL REGISTER.

Reg. Mat.
A. D., 1908.
Pag. 45.

Archidioecesis Baltimorensis

St. Anthony's Church, Brookland, D. C., U. S. A. (Responsio sic dirigi potest.)

Ego infrascriptus, mutuo consensu contrahentium habito per verba de praesenti matrimonio conjunxi die 12ª *Junii*, 1908, **in** ~~praedicta ecclesia~~ **vel in domo parochiali**

Sponsos *Joannem Jos. Ryan* **ex loco** *Novarcensi, N. J.* **et** *Mariam Cath. Daily* **ex loco** *Columbensi in Ohio.* *(Acatholicam)*

Eduardus Southgate, **Parochus vel** ~~**Delegatus**~~

Patres Sponsorum *Jacobus Thomas Ryan*, *Henricus Jacobus Daily*

Testes *Vincentius Ignatius Conlan*, *Maria Rosa Di Michele*

Dispensatione *mixtae religionis* **obtenta.**

THE SAME, WITH BLANKS UNFILLED IN.

Reg. Mat.
A. D., 19——.
Pag. ———.

Archidioecesis Baltimorensis

St. Anthony's Church, Brookland, D. C., U. S. A. (Responsio sic dirigi potest.)

Ego infrascriptus, mutuo consensu contrahentium habito per verba de praesenti matrimonio conjunxi die ——, 19——, **in praedicta ecclesia vel in domo parochiali**

Sponsos ——— **ex loco** ——— **et** ——— **ex loco** ———

——— **Parochus vel Delegatus**

Patres Sponsorum ———, ———

Testes ———, ———

Dispensatione ——— **obtenta.**

III. Some one will do well to give considerable thought to the convenient arrangement of a Baptismal Record. After Easter we shall have to be looking up the old baptismal records twenty or thirty years back, and in many instances of a much longer period, entering after the names of the parties the fact that they have embraced the matrimonial state. In the Baptismal Registry the following facts should be recorded:

1. Year, month and day of marriage.
2. Name of church where marriage took place.
3. Any other facts ordered by the Ritual and diocesan synods.
4. Name of priest who performed the ceremony.

Provision should be made in the Baptismal Registry to permit the entry of two or three marriages after the names. After Easter widows and widowers will continue to marry.

Various forms of Baptismal Registers are in use in the different parishes to-day, and it is only reasonable to suppose that many of them will be retained, provided they can be adapted to the requirements of the new legislation. Such adaptation may easily be made in those books—for instance, that recommended by the Tenth Provincial Council of Baltimore and now in common use in the United States—which, after all the regular entries have been made, still afford ample space for additional notes and observations; but in those books which have blanks for the necessary details only, and which make no provision for later supplementary addenda, it may be found necessary to add—with the pertinent cross-references—a few pages from time to time, as required, at the back of the volume, by way of appendix; or a distinct supplementary booklet to the Register itself may be made. The practical sense of our readers will suggest other means of complying with the substantial requirements of the law, until the new books are needed.

IV. 1. It is to be noted that the responsibility of making entries in the Matrimonial Register falls not on the priest who actually performed the marriage but on the parish priest or to the one in charge of the church or mission. This is true even though the bishop or parish priest has delegated a priest to witness a marriage.

2. When the parties married have been baptized in some other parish of the diocese, or in some other diocese, the notice of the marriage in either case may be sent directly to the parish priest where the parties were baptized, or to the Ordinary of the home diocese,[20] or to the Ordinary in whose diocese the baptism took place. Thus the notice of a marriage in Philadelphia when the parties were baptized in San Francisco, can be sent directly to the parish priest in California or it may be sent to the curia in Philadelphia, or directly to the curia of San Francisco.

V. 1. Any priest who marries a party in danger of death is responsible for the proper and accurate registration of the marriage.

2. When parties who could not secure the Ordinary or parish priest, or a priest delegated by either, have entered the married state, the responsibility of transmitting all the facts of the case for due registration falls on the newly married couple together with the witnesses.

BISHOPS AND DIOCESAN SYNODS.

I. Our Ordinaries and diocesan synods may not supplement the present marriage law by rulings contrary to the provisions of the decree. They may add regulations that are "praeter legem" as well as specifications on points which the law leaves indeterminate. Ordinaries and diocesan synods should punish severely priests who through carelessness or ignorance have either drawn up invalid written betrothal contracts, or who have omitted the observance of any positive prescription of the present law so as to render the marriage invalid. If the same priests have offended in these essential points frequently, it would seem advisable to forbid them absolutely to sign any betrothal contract or to assist at any marriage. Lesser punishments should be given for the transgression of any prescription that would render the marriage illicit. The Ordinaries and diocesan synods can oblige the pastor of the groom to restore the stole-fee to the parish

[20] Gennari, *Ib.*

priest of the bride, whenever the former, without a good reason ("justa causa") performs the marriage ceremony. This is not prescribed in the pontifical law, but it is not contrary to it, hence could be given as a punishment for violating number V, v, of the present decree.

II. If the Holy See does not wish to determine what would constitute a *grave necessity* (V, iii), a *necessity* (V, iv), and *causa justa* (V, v), it might be advisable for our diocesan synods to give an interpretation together with examples which would serve as a norm for priests dealing with practical cases, which interpretation should be followed until a declaration be given by the Holy See.

III. Undoubtedly difficulties will arise about stole-fees in cases not included in the decree *Ne temere*. Differences between priests, much uncharitableness, perhaps scandal, can be prevented if the Ordinaries and diocesan synods, according to the peculiar circumstances of each diocese, will supplement the pontifical legislation by minutely specifying the distribution of stole-fees. In such diocesan laws care must be taken not to determine anything even implicitly contrary to the decree *Ne temere*.

MATRIMONIAL STOLE-FEES.

I. As the marriage is ordinarily to be celebrated by the parish priest of the bride, hence for all marriages that he witnesses he receives the stole-fees, to which as a general rule it can be said that he is entitled.

II. If a parish priest, either without duly authorized permission, or in a case where grave necessity does not exist, performs the marriage ceremony for parties who have not a domicile, or a month's residence in his parish, he is to return the stole-fee to the bride's pastor. He may send it to the groom's pastor, if a good reason ("causa justa") existed which would have allowed the parish priest of the groom to witness the marriage.

III. If a grave necessity exists which allows any parish priest to witness a marriage, in his own church or territory,

of parties who have not a domicile, or a month's residence in his parish, we still think the stole-fees should be sent to the bride's pastor, or to the groom's parish priest, if the latter would have had a good reason to perform the marriage ceremony.

When the grave necessity exists, any pastor who witnesses a marriage in his own church or territory is not violating prescription V, ii and iii, and, consequently, in virtue merely of the present decree, is not obliged to send stole-fees to either the pastor of the bride or groom; but our opinion is based on the general principle that the stole-fee for marriage belongs to the parish priest.[21] While it does not seem just that the priest who performs the marriage ceremony in case of grave necessity, should receive nothing of the stole-fee (if there be any fee in such a case), yet he cannot be considered the "parochus contrahentium." We should say that the parish priest for such a case is the pastor of the bride, ordinarily. If a just cause existed allowing the pastor of the groom to perform the marriage ceremony, he may be considered the parish priest "in ordine ad emolumenta stolae." The new decree does not specify that a priest invited and delegated to witness a marriage should give the stole-fee to the pastor, yet very probably he must offer it to him, for the same reason as mentioned above.

IV. If the parish priest of the groom witness the marriage, even without a just cause, he may appropriate for himself the stole-fees. The reason of this is that although the pastor violates the law which requires that marriage be regularly celebrated by the pastor of the bride (V, v) (to which, however, the penalty of returning the stole-fee is not attached) he does not however violate the law (VII) which requires for the licit assisting at the marriage a domicile, or a month's residence of one or other of the contracting parties. It seems at first sight beneath the dignity of pontifical or diocesan law to treat in detail of the question of fees, especially where there is

[21] Romanos Pontifices, Concil. III Balti., p. 227.

question of the administration of a sacrament, or rather of a priest officially assisting at the administration, but the framers of the laws know too well from experience that there are a great many defects of human nature in priests. To leave the question of stole-fees unsettled would be to open a thoroughfare where the travel of clerics would be uncomfortable, undignified, and unpriestly. Americans are boastful of American generosity; but it is to be feared, by way of anticipation, that this generosity will not be in evidence if there be any violation of the pontifical or diocesan laws of stole-fees. Infractions of these rulings will be regarded more seriously than the violation of laws that are of serious consequences, such as accurate registration.

THOSE AFFECTED BY THE DECREE.

The following persons are affected by the decree in making a formal engagement and in entering the married state:

1. All Catholics of good standing, baptized as infants in the Faith.

2. All adults (never previously baptized) baptized in the Catholic Church.

3. All converts to the Catholic Church from any sect or denomination.

4. All Catholics baptized as infants but who have fallen away from the Church.[22]

[22] The decree clearly distinguishes between those baptized in, or received into, the Catholic Faith, and those baptized in any sect. The former, irrespective of age at the time of baptism, or subsequent relapse into heresy, schism, or infidelity, continue to be bound by the decree as long as they live. The latter are regarded as the only class of heretics exempted by the decree. This differs from a former interpretation (S. C. Apr. 1859) of the Benedictine declaration by which heretics included:

1. Catholic baptized infants educated in and professing Protestantism before their seventh year.

2. Children brought up and educated by indifferent Protestants, who gave them little or no instruction in heresy. The children in consequence became indifferent, seldom attending any religious worship.

3. Those who as children fell into the hands of heretics and joined some sect. (Gasparri, II, n. 977, p. 173 ed. 1900.)

If anything like a proximate calculation from all our dioceses could

5. All adults (never previously baptized) who were baptized in the Faith but who have fallen away from the Church.

6. All converts to the Catholic Church from any Protestant sect who have relapsed or have lost all faith.

There will be many of the fourth class amongst us. Baptized children falling into the hands of Protestants, growing up as Protestants, knowing nothing of the law of the Catholic Church which declares their marriage invalid unless celebrated before a duly authorized priest, will be living (though not culpably so) in concubinage, and not in lawful wedlock. Those of class 5 and 6 are refractory subjects. No one will declare that the state has lost jurisdiction over her law-breaking citizens; yet many will not see that the Church can bind her sinning and relapsed children. Baptism is not like naturalization. It does not allow the one baptized to transfer his or her allegiance from one religion to another, or rather from the true religion to so-called religions.

Many Protestants may think the Church presumptuous in decreeing their marriages valid or invalid accordingly as they have or have not complied with certain conditions. As the Church cannot err, neither can she be presumptuous. She alone is judge of the extent of her power. Any one validly baptized either in the Church or among heretics, becomes thereby a subject of the Roman Catholic Church. The present marriage law does not bind any one baptized in heresy or schism, provided they have never entered the Catholic Church. A question, however, can arise as to whether in large Protestant communities it may be prudent to publish merely the law as many of our Catholic papers will do; the reason, power, and authority of the Church should be published with it. We do not fear the truth; we do not wish to conceal the truth;

be made of the great number of children falling into the hands of heretics as defined by the interpretation of the Benedictine declaration, a provision to except the aforesaid classes might be made for us. It is not the intention of the Church, and certainly not of the saintly Pius X, to have uniformity of law for its own sake, but rather to make willingly exceptions when it can be shown that exceptions in certain localities will work for the greater good and salvation of souls.

but we should present the whole truth and in such a way that our Protestant brethren cannot refute it.

Careful note is to be made that the decree is dealing with the impediment of clandestinity, hence those of nos. 4, 5 and 6 are considered subjects of the Church for this impediment; for all other impediments those of 4, 5 and 6 are to be treated as apostates and heretics are now dealt with. Hence if a Catholic of good standing should marry a Protestant mentioned in nos. 4, 5, 6, certainly a dispensation from the impediment "mixtae religionis" is to be obtained.

Another difficulty that will confront us is the following: Many Protestants of the classes 4, 5, 6, will marry non-baptized parties. It is certain that the marriage of such apostates and non-baptized parties will be invalid. A case for moralists to settle is: what course is the priest to follow when such Protestants or such Catholics, as you may wish to call them, mentioned in nos. 4, 5, 6, present themselves to be married? They may have no intention of returning to the Church, yet may wish to be married by a priest because they know that in the eyes of the Church and before God any attempt at marriage before state officials is no marriage at all.

MIXED MARRIAGES.

Our Bishops will have a serious difficulty in the question of mixed marriages, which are on the increase from year to year. In some localities where Catholicism is strong and the influence of Catholic society dominant, mixed marriages have led to many sincere conversions, but in the greater number of cities, especially large cities, mixed marriages have proved to be a curse for the community and for individuals. The Holy See in legislation for the Universal Church cannot make her general law suitable to the particular needs of one nation or people. Thus in the present decree the Holy See in its general law exacts under pain of nullity that the marriage of a Catholic to a Protestant party must take place before the Ordinary, or a duly authorized priest, and witnesses. But the

general law makes wise provision to allow mixed marriages to be valid in particular countries or localities, even when celebrated before ministers, or state officials: first, in all places that now possess a dispensation from the impediment of clandestinity, and, secondly, wherever conditions, in the judgment of the Holy See, will warrant such an exception for the future "nisi pro aliquo particulari loco aut regione aliter a S. Sede sit statutum." Cardinal Gennari again assures us [23] that "nisi pro aliquo," etc., does not change or abrogate any existing dispensations to the impediment of clandestinity, hence, owing to the decree "Provida" granted to Germany, 8 January, 1906, all marriages of Protestants among themselves, and of Catholics to Protestants before ministers or state officials in the whole of the German Empire, will be valid after next Easter. Similar dispensations exist in many other countries. At present the writer cannot ascertain whether we have proportionately a greater number of mixed marriages than Germany, but, considering the loyal and living faith of American Catholics, it is certain we have a number out of all due proportion. It is certain, too, that as long as Catholic young men and women associate with Protestant young men and women, we shall have mixed marriages, and unfortunately many of these will be celebrated before ministers and state officials. Considering the great number that take place and that will take place, likewise weighing every consideration bearing on the case, would it be better for Catholicism in the United States to have marriages before state officials valid? If an affirmative reply be made by our American Bishops, it will rest with them to ask for the extension of the decree "Provida" to the United States, and with the Holy See to grant the same. Unless this extension be made, the marriage of Catholics with Protestants before ministers and state officials will certainly be invalid after Easter in the United States, with exceptions perhaps in the following dioceses and cities: In the provinces of New Orleans and San Francisco, with the

[23] Breve Commento.

State of Utah (not including Utah east of the Colorado river). Likewise in the diocese of Vincennes and in the city of St. Louis, and in the places of the archdiocese known as St. Genevieve, St. Ferdinand and St. Charles; also in Kaskaskia, Cahokia, French Village, Prairie du Rocher. To the above-mentioned provinces and places the Benedictine declaration has been extended, hence, until the Holy See decides, it will remain uncertain whether marriages of Catholics with Protestants in the aforesaid places entered into before ministers and state officials, or priests not duly authorized, are valid. The question disputed at present is whether the Benedictine declaration is a real dispensation. If declared such by the Holy See, then clandestine mixed marriages of Protestants among themselves or of Catholics with Protestants in New Orleans, San Francisco, etc., will be valid after Easter.

The regret has been expressed to the writer that our Bishops can not meet to discuss the very important question of mixed marriages before Easter in order to make some representation to the Holy See before that date. Rome acts slowly, and it is quite certain that the Bull *Provida* will not be extended to us for 19 April, 1908. Nevertheless the Holy See might declare a temporary suspension of the new law regarding mixed marriages. If the new law be promulgated on Easter Sunday and be subsequently changed regarding mixed marriages, great confusion will exist in the minds of our people.

We have thought it advisable to give the full text of the "Provida" by way of appendix.

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APPENDIX.

"Provida".

APOSTOLIC BULL

BY WHICH ALL CATHOLIC MARRIAGES IN GERMANY ARE SUBJECTED TO THE DECREE "TAMETSI," MIXED MARRIAGES AND THOSE OF PROTESTANTS EXEMPTED.

PIUS

Bishop and Servant of the Servants of God.

For a perpetual memory.

By wise and provident care Holy Church, in promulgating her laws, has in every age regulated those things which pertain to the stability and sancitity of Christian marriage. Among these laws that one by which the holy Tridentine Synod strove to abolish and extirpate from Christian people the evil of clandestine marriage, holds an eminent place. It is acknowledged by all that great utility has resulted and still results, from this decree in favor of the whole Christian world. Nevertheless, as happens in all human affairs, it has occurred in places, especially in the German Empire, that certain grave and inconvenient results were connected with the aforesaid law, due to the lamentable and widespread division in religion and the daily increasing intercourse of Catholics with heretics. Namely, since it was the intention of the Fathers of the Council that the decree *Tametsi* would not have binding force until it had been officially promulgated in each parish; since concerning many places it is doubtful whether this promulgation has been made; since it is frequently uncertain whether the law of the Council is likewise obligatory upon non-Catholics dwelling in this or that place; as a result the greatest diversity and dissimilarity of law has arisen in many localities of the German Empire,—wherefore very many and difficult questions have sprung up which have frequently caused perplexity in the minds of judges, a certain irreverence for law among the faithful, and perpetual quarrels and incriminations among non-Catholics. The Holy See has not omitted to publish for some dioceses of Germany timely declarations and or-

dinances which, however, have not abolished discrepancies of law.

These have moved very many German Bishops to approach the Holy See again and again, unanimously seeking a remedy for this condition. Leo XIII, listening kindly to these petitions, ordered that the wishes of the other prelates of Germany be consulted. These having been received and the whole matter having been discussed in the Supreme Congregation of the Holy Roman and Universal Inquisition, we have understood it to be our duty to apply an efficacious and universal remedy to the present condition. Therefore, from certain knowledge and plentitude of our power, in order that we may preserve the sanctity and stability of matrimony, the unity and constancy of discipline, the certitude of law, a more expeditious reconciliation of penitents and finally the public peace and tranquillity, We declare:

I. Although in very many places in the whole German Empire of to-day the decree *Tametsi* of the Council of Trent has certainly not yet been promulgated and introduced either by express publication or by proper observance, nevertheless, from Easter Day, the 15th day of April of this year 1906, it binds all Catholics, even those not hitherto bound by the Tridentine law, so that they may not contract valid matrimony among themselves, save in the presence of the parish priest and two or three witnesses.

II. Mixed marriages which are contracted by Catholics with heretics or schismatics have been gravely prohibited and remain so unless a grave canonical cause be present, in which case proper assurances are to be given formally and fully by both parties and a dispensation of the impediment "mixtae religionis" should be obtained for the Catholic party. The dispensation having been obtained, these marriages should by all means be celebrated according to the prescriptions of the Church, before the parish priest and two or three witnesses, so much so that they sin gravely who contract matrimony before a non-Catholic minister, or even before a civil magistrate, or in any other secret manner; nay more, if any Catholic seek

or allow the service of a non-Catholic minister in the celebration of such a mixed marriage, he commits another sin and is subject to canonical censure.

We will, nevertheless, and expressly declare, define, and decree as valid the mixed marriages already contracted without the Tridentine form, or which (God forbid!) may be contracted without aforesaid form in any province or place whatsoever of the German Empire, even in those localities where up to the present (according to the decisions of the Roman Congregations) the Tridentine law was certainly promulgated, provided there be no other canonical impediment, and further that the sentence of nullity has not been legitimately pronounced before the Feast of Easter of this year, and further provided the mutual consent of the man and wife has persevered to the aforesaid day.

III. That a safe rule may be at hand for all ecclesiastical judges, We declare, determine, and decree the same thing under the same conditions and restrictions concerning the marriages of non-Catholics, whether heretics or schismatics, contracted or to be contracted in the future among themselves in the above-mentioned provinces and places, even when they have not observed the Tridentine form, so that if one or both of the married parties (non-Catholics) should be converted to the Catholic Faith, or a controversy should arise in the ecclesiastical courts concerning the validity of the marriage of the two non-Catholics in connexion with a question concerning the validity of the marriage contracted, or to be contracted by some Catholic, these same marriages, all else being equal, are likewise to be considered valid.

IV. Lastly, that this our decree may come to the knowledge of the public, we command the Ordinaries of the German Empire to communicate it before Easter of this current year to the clergy and to the faithful through diocesan periodicals and other more convenient mediums.

Given at Rome in St. Peter's, 18 January, 1906, in the third year of our pontificate.

PIUS PP. X.

THE AUTHORITY AND THE AUTHORSHIP OF SCRIPTURE.

SINCE the Church teaches that Holy Scripture has God for its author, it is nothing strange if writers on the difficult question of Biblical inspiration should hope for light in a knowledge of the exact nature of this Divine authorship. Hence it is usual for them to inquire whether God is to be considered as author of the Bible in the ordinarily accepted sense of the word when used in reference to a book, that is, literary author; and as often as they feel justified in giving an affirmative answer to their query—which is commonly enough the case—they hasten to draw certain obvious conclusions which seem to narrow down considerably the debatable territory surrounding the question of God's relationship with His inspired word.

This view of the Divine authorship furnishes so much that is definite and, I think I may add, at first sight, comparatively easy to understand, that the professor who feels himself called upon to provide his hearers with some manageable theory of inspiration, is exposed to the temptation of accepting it, without due inquiry into all the issues its acceptance raises; and the young students whose reading of Scripture, in many instances, has not gone beyond the Epistles and Gospels for the Sundays of the year, take for granted that, furnished with this theory, they are prepared to meet all the difficulties touching Biblical inspiration that await them beyond the college walls.

Of course it is no objection to a theory that it is lucid; but in subject-matter so profound as to include Divine activity, it may be cause for suspicion that our study has not been complete. And it seems to me that those who assume that God is literary author of Scripture, rarely define, except in a vague and partial way, the nature of the work attributable to the human agents, contenting themselves with calling them "secondary causes," "human instruments," "instrumental causes"—terms to which each controversialist will give a special shade of meaning according to the theory he defends.

My purpose in the present article is to submit some reasons

why I think that, by whatever specific term we are to describe the Divine authorship of the Sacred Scriptures, this at any rate we must admit, namely, that the inspired writers are their literary authors, in the full and proper sense of the word. I shall not undertake to decide whether it be in its nature impossible that God and man both should be true literary authors of the same work, but shall limit myself to an attempt to show that, as a matter of fact, God is not author of Scripture in the ordinary meaning of the word.

I cannot define more clearly what I mean by literary author than by saying that he is literary author of a work who gives to it its literary style. Others may prompt the writing of a book, may furnish documents bearing on its theme, and suggest ideas of their own; but the one in whose words the finished work appears is its literary author, or, what amounts to the same thing, simply its *author,* according to the ordinary usage of speech.

Teaching of the Church.

Two sources of knowledge are open to us in this investigation, viz., the teaching of the Church, and the study of the inspired books themselves. The following extracts embody the substance at least of all the Church teaches concerning the Divine authorship.

Statute of the IV Council of Carthage (404) to be observed in the consecration of a bishop:

> Quaerendum est ab eo si Novi et Veteris Testamenti, id est, Legis et Prophetarum, et Apostolorum unum eumdemque credat auctorem esse Deum.

From the profession of Faith sent (1054) by Leo IX to Peter of Antioch:

> Credo etiam Novi et Veteris Testamenti, Legis et Prophetarum, et Apostolorum unum esse auctorem Deum, et Dominum Omnipotentem.

These identical words, except that *Credo* is changed to

Credimus, are found in the Symbol to which the Greeks subscribed in the second Council of Lyons (1274).

From the Decree *pro Jacobitis*, issued by the Council of Florence (1438):

> Sacrosancta Romana Ecclesia . . . unum atque eumdem Deum Veteris, et Novi Testamenti, hoc est Legis, et Prophetarum, atque Evangelii profitetur auctorem, quoniam eodem Spiritu Sancto inspirante, utriusque Testamenti Sancti locuti sunt, quorum libros suscipit, et veneratur.

From the Council of Trent:

> [Tridentina Synodus] Orthodoxorum Patrum exempla secuta, omnes libros tam Veteris, quam Novi Testamenti, cum utriusque unus Deus sit auctor, . . . pari pietatis affectu, ac reverentia suscipit et veneratur.

From the Dogmatic Constitution of the Vatican Council, Cap. II. de Rev.:

> Eos vero [libros] Ecclesia pro sacris et canonicis habet, non ideo, quod sola humana industria concinnati, sua deinde auctoritate sint approbati; nec ideo dumtaxat, quod revelationem sine errore contineant; sed propterea, quod Spiritu Sancto inspirante conscripti Deum habent auctorem, atque ut tales ipsi Ecclesiae traditi sunt.

I cannot see in these expressions of Catholic belief any real evidence, either direct or implied, that the authorship predicated of God is literary authorship. The test prescribed by the Council of Carthage was avowedly established as a protection against Manichæism, which taught that the Old Testament was the work of the evil principle. The profession of faith required of the Patriarch of Antioch was not, of course, framed with the special purpose which prompted the Carthaginian Statute; yet it contains nothing to warrant us in giving a new, or even additional, meaning to the "Deum Auctorem." And I would add—though it matters very little in the present discussion whether my suspicion is well founded or not—that

I cannot read those resounding words, *Dominum Omnipotentem,* coming at the end of a formula that would seem complete without them, and sufficiently expressive of the faith of those whose conception of God was orthodox, without feeling that a suspicion of lurking Gnosticism, in some one of its multiple forms, prompted their insertion. Indeed, even the Florentine decree *pro Jacobitis,* while by its introduction of inspiration it adds an important element to its use of "author," would seem to have for special object an insistence on the unity of Divine authorship for both Testaments. It tells us that "one and the same God" is author of both, "because the holy men of both Testaments spoke under the inspiration of the same Holy Ghost." Perrone points out, on the authority of Bianchini and Cardinal Thomasius, that Eugene IV, in the decree *pro Jacobitis,* borrowed his form of speech respecting the authorship of Scripture from the Roman Pontifical, in the consecration of a bishop, and adds that the profession made on this point by the Bishop-Elect was directed against Manichæism.[1] Whether or not these considerations will have much weight in a study of the Florentine decree, they at least strengthen the ground of my surmise with regard to the *Dominum Omnipotentem* of Leo IX, seeing that his words are identical with those of the interrogatory in the Pontifical.[2]

Nor does it appear that the Council of Trent itself, though questions more pressing than the early heresies of the Orient occupied its mind, changed the drift of the Church's previous language respecting the authorship of Scripture. "Following the examples of the orthodox Fathers, [the Council] receives and venerates with an equal feeling of piety and reverence, all the books both of the Old and of the New Testament . . . seeing that one God is the author of both." It would matter little even if it were proved beyond doubt that, by the time of Trent, the "Deus Auctor" had entirely lost its anti-Manichæan meaning. The important point is that the words

[1] *Praelect. Theol.,* Vol. II, p. 2, num. 107, et nota 2.

[2] The reader will find the question I refer to as being put to the Bishop-Elect, under the heading "Examen."

of Trent, whether taken by themselves or in connexion with the earlier expressions of belief which I have quoted, furnish no argument for the doctrine of literary authorship; and that it does not appear that there prevailed among Bible students of the day a belief so strong in the Divine literary authorship, that when the Church spoke on the subject it was to be presumed she spoke according to such belief, though her language gives no hint of the fact.

But what says Vatican? It tells us that the Church holds the books of the Old and New Testaments as sacred and canonical, "not because, having been composed by human industry, they were afterwards approved by her authority; nor only because they contain revelation without error; but because, having been written under the inspiration of the Holy Ghost, they have God for their author."

Here the issue is narrowed down, and what in the decree *pro Jacobitis*, and in the Tridentine decree *de canonicis Scripturis*, holds only a subordinate place, is made the direct matter of the Council's teaching, viz., that the Canonical Scriptures have God for their author; and the reason of Divine authorship is placed in the fact of Divine inspiration. The sacred books have God for their author, because the Holy Ghost inspired their writing. One inference at least is obvious from this teaching, viz., that we can arrive at a true and full knowledge of the Divine authorship only through a true and full knowledge of Divine inspiration, and that those entirely invert the true order of investigation who, setting out with the assumption of Divine literary authorship, undertake by this means to explain the intimate nature of inspiration. They are pursuing a course directly opposite to the one suggested by the words of Vatican.

The Sacred Text as Witness of Divine Authorship.

If we turn now to the inspired works themselves to learn *their* answer to our query, we find ourselves in the presence of a body of literary documents covering a period of some 1600 years, and bearing upon them unmistakable marks of diversity

of origin as regards time, place, and authorship. The historian, the legislator, the chronicler of contemporary events, the moralist, the poet, plain laborers and dwellers in the palaces of kings, men of rude speech and men of the most refined eloquence,—all have contributed to the production of this unique book and have left upon it the mark of their hands. We believe, however, that these writers were inspired by the Holy Ghost, and we wish to know whether God is author of the book in the ordinary acceptation of the word. This question is tantamount to this other: are the different styles of the sacred books truly and fully attributable to God? I take for granted of course—what I presume all admit—that every part of Scripture that has a human writer of its own, bears upon it in some degree the impress of a workmanship peculiar to itself; that, as far as we can tell from the data at our disposal, this individual feature reflects the human circumstances of the writer, and that as a consequence we have a variety of literary styles, some crude and some polished, some terse and direct, others prolix and circuitous, some free as may be from the taint of foreign speech, and governed by the laws of correct writing, others exhibiting barbarisms and solecisms,—corresponding to the environment, education, and natural temperament of the various writers. If we say God is the author of these books in the ordinary acceptation of the word, we must be prepared to accept the consequences, and to consider Him responsible for every detail of their literary work. There is no escaping this conclusion. Consistency will not permit us to describe the "principal" author as also the real literary author, and the inspired writers as authors only in an improper sense; and then when we meet with something in the inspired work that we hesitate to attribute to God, burden it on the "defective human instrument." It is not necessary to inquire how far the "human instrument" may be responsible: what is pertinent is, that if God be literary author in the true and proper sense, He at any rate, no matter who else, must be fully responsible for the entire literary work. Now I suspect few, if any, will admit that the literary styles of the various

books of Scripture can properly be said to belong to the Holy Ghost. Nor am I aware that the defenders of the Divine literary authorship theory themselves refer all the elements of the literary work to the Divine author. In this they show the saving power of their good taste.

Defects in literary composition, of course, are not a moral evil, but they are recognized among men as evidence of mental limitations and imperfections in the author. So long as a human agent stands between us and God, and bears the responsibility for full literary authorship, we are not scandalized at the crudeness of his speech, though we believe the inspiration of the Holy Ghost extends to all its ramifications; but when told that our view is wrong, that the Deity himself is true and primary author of the language we have been listening to, our feelings recoil from the obvious implication. Ignorance is as repugnant to the nature of God as error; but if it be denied that an inspired writer has ever betrayed a limitation of knowledge of the subject in hand, it is not my purpose to push the opposite opinion,—and I turn to other considerations. It is enough for me that, even if it is not absolutely impossible for the Deity to use bad grammar, some more cogent argument than the necessity of supporting an uncalled-for theory of authorship will be needed to prove that He has actually done so.

All that I have hitherto urged against the Divine literary authorship goes indirectly to establish the authorship of the inspired writers; yet a direct and postive treatment of this part of the question may bring out more clearly what has so far been only implied.

To exclude the possibility of doubt as to my contention, I will say that I claim for the inspired writers an authorship as true, and real, and full, as that which we attribute to the author of the *Divina Commedia,* or *Sartor Resartus.* Christian tradition has always spoken of those men as *authors* of the works that have come from their pens. Paul is *author* of the Epistle to the Romans; Matthew is *author* of the first Gospel; and Isaias is author of the prophecies that bear his name. Further, in the whole range of Scripture the individual work-

manship is as traceable as it is in secular productions that are limited to the same number of topics; the feeling exhibited is, to say the least, just as deep and true as that of profane authors, the imagination as active, the convictions as strong, the activity of all the higher faculties as intense and vital. But we are reminded that they wrote under the inspiration of the Holy Ghost and therefore cannot be authors in the sense I claim. Are we, then, to assume that God, when He avails Himself of man's agency robs man of his causality? I had even thought that the saint who fed the poor for love of God did an act as truly his own as the sinner who drove them from his door.

We are in great danger of proving too much, whenever, from a consideration of the wider efficacy of the principal course, we insist on a diminution of the instrument's causality. St. Thomas has in mind no particular order of causes when he says: "In omnibus causis ordinatis effectus plus dependet a causa prima quam a causa secunda; quia causa secunda non agit nisi in virtute primae causae.[3]

Now, it is beyond doubt that the persons whom God chose as His instruments in the production of Sacred Scripture were capable of literary authorship; nay more, I will add, were capable of all the literary authorship the entire Scripture reveals. In elucidation of what I say, I would, to begin with, refer the reader to those parts of Scripture which of themselves are freest from any suggestion of a supernatural element, the strictly historical parts, for instance, and such snatches as the last chapter of II Timothy. Could not the author of the genealogies of Paralipomenon, or of Machabees II, as far as the literary features of the work are concerned, have executed that same task, had they been so minded, without the influx of the Holy Ghost at all? And might not an humble bishop of our own day, who knew his end to be drawing near, write to a brother bishop as Paul wrote to his beloved Timothy, without being suspected of speaking beyond the power of man?

[3] *Sum. Theol.*, I-II, qu. 19, a. 4.

Indeed, the inspired writers must be presumed to have used, as instruments of the Holy Ghost, the same literary style, to say nothing of the knowledge, as had been theirs before their call; and I have no doubt that if we could but recover the writings which Solomon is said to have exchanged with Hiram King of Tyre, we should find ourselves confronted with literary documents substantially the same in form, and perhaps also in matter, as his " parables " in the book of Proverbs; and that nothing short of the authority of the Church could assure us that, while the latter are inspired, the former were not.[4]

That the inspired writers were capable of the literary authorship of the Bible is most obvious when illustrated by certain historical sections, the matter also of which is so clearly within the competency of man; yet it is none the less true as regards the most lofty utterances of psalmist or prophet. To say the least, far the greater part, even of the Sapiential writings, the prophecies and the psalms, not only as to literary style, but also as to matter, could have been produced by uninspired moralists and preachers; and the only point at which doubt might arise regarding man's capacity for true authorship is where we encounter revelation. But even here our doubts will soon disappear once we reflect that revelation is a means of furnishing knowledge, and that the furnishing of knowledge, whether through human agency from human sources external to the writer, or from a divine source by means of revelation, does not change his relationship, as literary author, to the work. On what ground, then, are we asked to believe that the writers of Scripture, being once inspired to do the work we have been considering, ceased to be authors in the true and proper sense? Is this in accordance with God's way of dealing with His creatures? He could have produced without any intermediary all the effects that actually proceed from secondary causes, but He has been pleased, in His goodness, to endow His creatures, according to their various grades, with the principles of native action and true causality,

[4] Cf. Josephus, *Cont. Apion.* Lib. I, c. 4.

even though His own efficacy, as First Cause, extends to the vanishing point of all created activity. And all our Theology, all our Philosophy, all our moral understanding has it, I think, for an acknowledged principle, that God, when He takes a creature as His instrument, avails Himself of all its natural activity that can serve the end in view. That the men whom He inspired to write the Bible were capable of its literary authorship, is what I have just been trying to show.

I do not think it can be validly urged against this conclusion that, because the supernatural element of inspiration comes in, therefore the human writers were no longer able to coöperate, with their full natural causality, in the production of this book. If we omit whatever it contains of revelation, the Bible is not, of its nature, a superhuman work; and, as I have already pointed out, revelation is only a way of furnishing knowledge to the writer, and does not effect his status as author. If, therefore, the sacred writers be said to be less truly authors than are secular men of letters, it must of course be owing to the nature of the Holy Ghost's action upon them. But if out of the long discussions that have gathered around the question of inspiration, any one thing has survived as commonly admitted doctrine, it is this, that the influence of the Holy Ghost upon the inspired writers is primarily by way of a *moving,* a *stirring-up,* an *impelling* (the *motio, excitatio,* and *impulsio* of the Theologians) to write on certain lines; "ita eos ad scribendum excitavit et movit" are the words of the *Providentissimus Deus* itself. This is a very different thing from depressing their natural activity. It would seem rather to be an arousing of it to its fullest capacity.

I have refrained from drawing any inferences from the term "instrument" as commonly applied to the sacred authors, because, as it is subject to different meanings, its true significance in the present connexion would need first to be learned from sources outside itself. This only will I say. Instruments differ as much from one another in the order of instrumentality as they do in the order of nature, and it were as vain to illustrate the instrumentality of man in the

hands of God, by the example of a pen in the hand of a penman, as to undertake to define man's nature itself from one's knowledge of the pen. St. Thomas points out very clearly the great difference between these two classes of instruments, and as his words may reflect light on the whole question I have passed over, I will reproduce them in full. He proposes a difficulty: "Illud quod operatur per modum instrumenti non indiget habitu ad proprias operationes; quia habitus fundatur in principali agente: humana autem natura in Christo fuit *sicut instrumentum* divinitatis ut dicit Damasc. . . Ergo non debuit in Christo esse aliqua gratia habitualis." He answers: "Dicendum quod humanitas Christi est instrumentum divinitatis, non quidem sicut instrumentum inanimatum, quod nullo modo agit, sed solum agitur; sed tanquam instrumentum anima rationali animatum, quod ita agitur, quod etiam agit; et ideo ad convenientiam actionis oportuit eum habere gratiam habitualem." [5]

If this one question of authorship itself could be settled, it would be a considerable advance toward a better understanding of the whole problem of inspiration: some at least of the shifting sands, that now render progress so difficult, would be removed, and a clearer view of the remaining field of investigation made possible. And it seems to me the method of inquiry most likely to serve this end is that which disturbs as little as possible the natural order of things, which treats with suspicion any view that runs counter to our natural instincts, or the practical judgment of men, and which, in a word, is founded on a faith that truth needs not the aid of strained and unnatural argument. I for one have a hope that defenders of the Bible will yet come to see that they are not called upon to occupy positions in which consistency is almost beyond the power of man, and in which they can hardly go free, in the judgment of their adversaries, from the charge of insincerity, despite their learning and their honesty. In illustration of what I mean by strained argument, or the appli-

[5] *Sum. Theol.* III, qu. 7, a. 1, ad 3um.

cation of principles beyond their natural limits, I will take the liberty to cite instances in two writers of our day, whose merits are so abundant that they can bear with patience any criticism of mine, even if it be adjudged well-founded.

The distinguished and venerable Cornely, in showing that there is no contradiction between Sacred Scripture and the natural sciences, introduces the words of St. Thomas (quoted later in the *Providentissimus Deus*) relative to the way in which Moses describes the phenomena of nature, that is, *ea secutus est quae sensibiliter apparent*; and cites some well-known cases to which the principle is commonly applied. But then, seemingly forgetful of its limitations, he goes on: "Moyses si carnem leporis immundam dixit, 'quia ruminat et ungulas non dividit' (Leo. XI. 6), sui temporis suaeque gentis opinioni, quae ad externam solam apparentiam attendit, sese accommodavit; 'secundum opinionem populi loquitur scriptura,' dicit S. Thomas in similis difficultatis solutione." [6]

Assuming that Moses speaks of the hare known to us—and Cornely does not deny that he does—and called it a ruminant, of what earthly avail is it against the charge of error, to say that "he went by what sensibly appeared," or to add that "Scripture speaks according to the opinion of the people."

When we say the sun sets, nobody accuses us of error; but if we should say that a horse was a biped, the whole world would pronounce us mistaken, no matter what our source of information.

Another illustration of Homer's proverbial liability to nod is furnished by the author of *Questions of the Day*.[7] He is dealing with the same principle as Cornely, and he applies it to what St. Matthew has to say of Herod when the daughter of Herodias asked for the head of John the Baptist. The Evangelist says "The king was struck sad." The learned author claims that Herod was only shamming sadness, being in reality glad of the opportunity thus offered of putting the

[6] Cornely, *Introductio*, Vol. I, p. 586, note 12.

[7] *Questions of the Day*, by the Very Rev. Alex. MacDonald, D. D., V. G. New York, 1905.

Baptist to death; yet he maintains that, in saying he "was struck sad" St. Matthew was following the "true law of history," which requires that we "set down phenomena as they exist and are observed." But who will believe that a law which demands such application is the "true law of history"? If a man is really sad, the true historian will describe him as sad; if he be only shamming, the true historian will state that he was only shamming. But if a historian should write that a certain man was sad while in reality he was joyful, though simulating sadness, the common sense of mankind will say the historian erred. For my own part I do not see why the Evangelist might not be taken at his word.

Perhaps even in our application of principles to the difficulties of Scripture we all might profit by the quaint wisdom of Æsop, who advises us not to grasp too much lest we should lose all.

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DE RANCÉ AND THE TRAPPIST REFORM.

"IT is impossible," says Abbot Palmer,[1] "to fix the period of Abbé de Rancé's conversion. It was not indeed a sudden stroke, but the result of a long combat between the grace of God and the weakness of man." Charles Butler, in his biography of the reformer, describes it as a process of slow growth and development, and divests it of that romantic character which Chateaubriand seems desirous of imparting to it. Marsollier computes that between his first thoughts of it and his profession in La Trappe eight years intervened. The stages of his conversion he himself thus describes in one of his letters: "I remained in the world till my thirtieth year. My conversion arose from the disgust which I felt with its ways; from my discovering that, in all its greatness, there is nothing solid. I was perpetually witness of the chagrin, vexa-

[1] *A Concise History of the Cistercian Order.* By a Cistercian Monk (Abbot Bernard Palmer). London: Richardson & Son. 1852.

tion, ennui, and infirmities of those who were thought most happy. I saw that their hearts were torn in pieces, in various ways, by their passions. I considered the situation of those who possessed the prime objects of my ambition: I was struck with the difference between their lives and their duties: I was also struck with the death of some of them, their insensibility in the moments which preceded that in which their lot was to be decided for eternity. I sought repose; and, if unfortunately I had met with it in the career in which I was engaged, I should not have looked beyond it. But I became ashamed of myself. Agreeable parties, amusements, plans of aggrandizement, all, by degrees, appeared to me so vain and empty, that I began to look on them with disgust. I began to see such want of faith, of real honor, of truth in the generality of mankind, that I began to despise men in general. These combined reflections made me fly from what ceased to please me, and to look out for something better. At length God came into my thoughts; and, as I had preserved the integrity of my faith, I trusted in Him, that He would serve me in my need, and fill up the void which my projected divorce from the creature must necessarily occasion. In this darkness and confusion, and without knowing what was before me, I returned to the country. I made an effort to read books, many of which I had never read and none of which I had relished. I recalled to my mind all the truths of the Gospel which I could recollect; I fixed my attention on them; I felt their importance; I began to perceive that there was no real happiness, except in believing the truths of salvation with a firm faith, and by putting them in practice. By repeating this, by again and again addressing myself to Him who alone could dispell my erroneous opinions and erroneous affections, my heart was at length touched; my eyes were opened. I resigned myself to my new impressions, and resolved thenceforth to belong as much to God, as, till then, I had belonged to the world. God took me under His protection: it is surprising how easily the obstacles in the way of my good resolutions were removed. My first views did not go very far; soli-

tude, prayer, reading and meditating on the Gospel and the writings of the Fathers,—I looked for no more. But, in His infinite mercy, Almighty God made me sensible that more was expected from me; that this easy tranquil life was not all that God required from a sinner such as I had been; from one who, like me, had spent his whole youth in the spirit, the vanities, and the maxims of the world. I found it to be His adorable will that I should bury myself in solitude and penance. Such is my present state, and I live in the humble hope of His accomplishing in me the promises He has made to those who forsake all things for the love of Him."

Although drawn by that levity and impressionability which characterize the light-hearted French race into the current of fashionable frivolities there was always an underlying depth of seriousness in De Rancé's nature. He was too candid not to recognize the disaccord between his manner of life and his sacred office. Always an admirer of holiness in others, whenever piety was attacked he was its zealous defender. "During all the wanderings of his youth," says Abbot Palmer,[2] "the good natural qualities of his heart never abandoned him. From time to time, they struggled with considerable energy to lift him from the mire, and place him above the low and baneful atmosphere of earthly gratification. There still whispered, at solemn moments when he was compelled to commune with himself and be still,

> . . . . . the small voice within
> Heard thro' gain's silence, and o'er glory's din.

He loved virtue passionately and defended it against every foe; yea, by a noble contradiction even against himself. Though in possession of five ecclesiastical benefices, he sometimes denounced these pluralities with an energy which confounded their advocates, and which threw his own soul into a state of salutary consternation." Self-condemned, he put an end to this inconsistency when, at the instance of the Bishop of Pamiers, he resigned all his benefices but one; as, at the

[2] Op. cit.

prompting of another pious prelate and as an act of restitution, he had sold all his estates and, after repairing the churches upon his benefices, gave the surplus to the Hôtel Dieu and the General Hospital in Paris for the benefit of the poor who had been defrauded; and later on, in compliance with the advice of the Bishop of Comminges, ceased holding the abbey of La Trappe *in Commendam*,[3] became a professed monk of the Cistercian order and thus qualified himself to be its regular abbot.

The last step entailed some wrestlings of the spirit. It was a final breaking with the world by a rude wrench and cost him more, as it involved more, than the two great acts of renunciation he had made. But he had the courage born of the spirit of sacrifice, which makes those spiritual heroes, saints, and martyrs; and once again grace triumphed over nature. Though he had a great inclination for solitude, he had "a horror of the cowl," and it was only by degrees that he overcame his repugnance. When he first resolved to leave the world he had no notion of entering into the monastic state; his views did not go further than leading in extreme solitude a life of great abstinence and prayer, employing the whole of his

[3] It is noted as a fact worthy of remark, that the most austere reforms in the Cistercian Order were begun by persons who, before their religious profession, had been abbots *in Commendam*, that is, abbots enjoying the temporalities of monasteries without entering into the monastic state, and consequently without the tie of religious vows; and perhaps without ever seeing the abbeys which they held by this form of tenure, the duties for which they drew the revenues being done (or left undone) by deputies. In the early ages of the Church, when a bishopric became vacant, the metropolitan sometimes commended, that is, committed to the care of the neighboring bishop the administration of its temporal and spiritual concerns, till the new prelate should be elected. In subsequent times, when the conquests of barbarians or infidels compelled a bishop to abandon his see, the administration of a monastery was often committed to his care, and he was allowed to retain such a portion of its revenue as sufficed for his subsistence. By degrees kings and great nobles assumed the right of making these provisional or commendatory grants of bishoprics, monasteries, priories, and provostships in favor not only of secular priests, but of laymen. This was the origin of Commendams. The custom became so general that many ecclesiastics, even of edifying lives, thought themselves justified in holding such benefices.

large income, beyond what was absolutely necessary for his subsistence, in works of religion and charity. Even this his relatives and friends thought was going too far, and they strove to dissuade him by many specious arguments, but in vain; he stood firm, and in this firmness was foreshadowed the great ascetic and reformer, so resolute of purpose and so radical in his methods.

"From the tenor of his life," says Butler, "it appears that, in his boldest measures, he proceeded with due deliberation." The same deliberation which marked his withdrawal from society and his disposal of his patrimony marked his entrance into religion. The Bishops of Aleth and Comminges, with whom he took counsel, first opposed his design of embracing a solitary life; he was advised to devote himself to missionary work at home or abroad; but Bruno on the Alps or Paul in the Thebaïd were not more unwilling to quit their retreats than Rancé to leave the Pyrenees, where he thought of building himself a hermitage.[4] The eremetical life, however, was not the sphere he was destined to occupy

"When Louis XIV assumed the reins of government," says Chateaubriand, "France was divided—one half went to fight the foreigner, the other retired into the desert. Three solitudes stood face to face—Chartreuse, Port Royal, and La Trappe. Sheltered behind warriors and anchorites, France breathed." After disposing of Veretz and divesting himself of his benefices Rancé only reserved a place to die in. "Before speaking to us of the personages she brings us on the stage," pursues the eloquent author of the *Génie du Christianisme*, "Greece introduces us to the theatre of their actions;

[4] Some time after he had left Comminges a young girl of twelve, tending her goats in the parish of Alan, lost her footing and fell, with the Holy Name on her lips. A lady dressed in white appeared to her, told her to fear nothing, and drew her from the precipice. The young girl said she had lost her rosary-beads, and the Blessed Virgin (for we are told it was she) gave her a pair, telling her to direct a priest to build a chapel where she had fallen. The Bishop of Comminges wrote to Rancé, who counselled the erection of a chapel dedicated to Our Lady of St. Bernard, the ruins of which still mark the spot.

Prometheus, chained, discourses to the ocean; the seven chiefs before Thebes swear on a dark shield; the Persians weep at the apparition of the shade of Darius; Œdipus, the King, appears at the gate of his palace; Œdipus at Colonna pauses near the wood of the Eumenides, ready to leave his exile. Philoctetes exclaims, 'Farewell, sweet refuge of my misery!' The writers of the Lives of the Fathers of the Desert, Greeks by birth, have been faithful to this ancient usage; they show us Paul, the first hermit, hidden under a palm tree; Anthony, the first solitary, shutting himself up in a sepulchre; Pachomius, first founder of the cenobites, seated on a stone at Thebennes. We will not go so far with Rancé; we will remain near Versailles; at thirty leagues from the marble steps of the Orangerie we will find the austerities of the Thebaïd; while the noise of the Court will reach us like the murmur of the waves of time."

La Trappe, or Trapan, in the Perche patois, is synonymous with *degré* (step), so that Notre Dame de la Trappe is the same as Notre Dame des Degrés.[5] The abbey called Notre Dame de la Maison-Dieu de la Trappe was founded in 1129 by Rotron, second of that name, Count of Perche, who vowed, when returned from England, that if he escaped shipwreck, of which he stood in danger, he would build a chapel in honor of the Blessed Virgin; the count, miraculously delivered, in memory of the event had the roof of the votive church built in the form of an inverted ship. Rotron III, son of the founder, finished the chapel which was changed into a monastic church; and the founder's grandson deposited therein relics brought from Palestine by his father, who had taken part in the first crusade. Louis VII was king of France and St. Bernard first abbot of Clairvaux, when the Abbey of La Trappe was founded; Serlon IV, abbot of Savigny, reunited it to the Order of Citeaux or Cistercians, in 1144; it had for benefactors Richard Hurel and his sons, who endowed it with

[5] Another derivation ascribes the name of the village of Soligny-la-Trappe in Haute Perche (now in the arrondissement of Mortagne, department of Orne) to the narrow gorge which forms its entrance, comparable to a trap-door.

the lands of Vastine; it was protected by Popes Alexander III, Clement III, Innocent III, Nicholas III, Boniface VIII, John XXI, and Benedict XII; and St. Louis took it under his protection in order, as the royal charter stated, that the religious "might be free, peaceable, exempt from all subsidies" (*sint liberi, quieti, exempti ab omnibus subsidiis*). According to an ancient register, and an abstract of the epitaphs on the tombs, there appear to have been seventeen abbots, from the first abbot, Dom Albode, down to Cardinal du Bellay, first abbot-commendatory, under Francis I, in 1526. Dom Herbert, abbot in 1212, having joined Renaud de Dampierre and Simon de Montfort, was taken prisoner by the Caliph of Aleppo and remained thirty years in slavery; after his release he founded the abbey of the Clairets, a dependency of La Trappe. The sixteenth abbot was one Dom Robert Rancé. The abbey was not fortified, as other abbeys were; and during the two centuries that the English revaged France, it was several times pillaged, notably in 1410. From the register of benefices we learn that it possessed the Terres Rouges, the woods of Grimonart, the road to the Chêne de Bérouth, the Bruyères, the Neuf Etangs, and the streams that take their rise thence.

The records of a visitation[6] of the abbey, made in 1685, disclose the condition of La Trappe before Rancé's reform. The gates remained open day and night; a ladder attached to the wall was the only means of access to the upper corridors, the flooring of which was so rotten and full of holes that it was perilous to walk on it; the roof of the cloister, supported by pillars that bent under it, received the rainfall like a tank; the parlors were used as stables; seculars and religious assembled in the refectory to play at bowls when the weather hindered them playing outside; the dormitory exposed to hail, rain, snow, and wind, only served a retreat for night birds; and

[6] One of the verbal processes known in the Benedictine Order as *cartes-de-visite*, that is, written authorizations to inspect the monasteries under the Rule and report thereon. The *carte-de-visite* of 1865 is signed "Dom Dominique, Abbot of Val-Richer."

the monks—who had nothing of the monk about them but the habit, and had greatly fallen off in numbers and discipline, being reduced to seven when Rancé introduced his reform—lodged wherever they liked or wherever they could. The church was likewise crumbling to ruin and the belfry ready to totter at any moment, so that they could not ring the bells without shaking the entire edifice. In addition, the atmosphere was very unhealthy, owing to the vapors that arose from the marshy valley in the midst of which it was situated. But the moral devastation which followed in the wake of war, when the community was obliged to disperse and the continuity of tradition and discipline was broken with consequent deterioration of the cloistral spirit—a deterioration which under the commendatory system ended in utter decadence—was far worse. It needed the strong faith, untiring zeal, and invincible patience of an apostle to set such a house in order; and Rancé's courage and resolution were soon put to the test. Directly he uttered the word "reform" they spoke of poniarding him, poisoning him, or throwing him into the nearest pond. One of Turenne's tried veterans, M. de Saint Louis, a frank, straightforward, courageous old soldier, who resided in the neighborhood, came to the rescue; but Rancé declined his proffered assistance, saying that the Apostles had established the Gospel despite the powers of the earth, and that, after all, the greatest happiness was to die for the right. A threat to inform the king of their disorderly lives made them yield a regretful consent to the reform, and a contract was made, confirmed by the Parliament of Paris, 6 February, 1663, by which a pension of four hundred livres was assigned to each of the seven occupants, with permission to remain within the precincts of the abbey, or retire elsewhere. Two monks of the Strict Observance, summoned from Perseigne, then took possession, while Rancé repaired to Paris and obtained the king's permission to hold the abbey *en règle*; the royal license—dated 10 May, 1663 and only granted on condition that at the death of the regular abbot the monastery should henceforth be held, as heretofore, *in commendam*—being forwarded to Rome for Papal confirmation.

As soon as the monks from Perseigne were settled in La Trappe he regularly joined them in all their religious exercises; he was delighted with their modesty, abstemiousness, and piety; and soon began to assist at midnight office and to observe their fasts. By degrees his mode of life, except that he did not wear the religious habit, became the same as theirs. He now experienced a happiness which he had never felt; and he often thought that he was called by God to become a Cistercian monk. Something, however, of his early aversion to the cowl continued: by degrees it wore away, and he began to wish that his entering into the Order was the Holy Will. He frequently consulted the prelates mentioned and his spiritual adviser Père de Mouchy, who were first inclined to ascribe his desire to indiscreet zeal.

Still wavering between the active and the contemplative life, he wrote to one of his friends: "I confess to you that I no longer see a single man of the world with the least pleasure. For as many as six years I have been speaking of disengagement and retreat, and the first step is yet to be taken. Still, life is drawing toward its close; one awakens at the end of the sleep, and finds his work undone. I desire to be so forgotten as that one should only think that I had been." An accident which occurred on the 1 November, 1662, contributed to fix his resolution. His cell in the monastery, which he had finished repairing, fell in and was near crushing him. "Behold," he exclaimed, "such is life!" He retired immediately into a corner of the church, as they were chanting the psalm, *Qui confidunt in Domino*. "Why," he asked himself, struck with a sudden light, "should I fear to engage in the monastic profession?" His interior difficulties vanished.

His first thought was to resign the rank of abbot and become a simple religious; but this was opposed by all his advisers, on the ground that he would deprive himself of the power of doing an infinity of good, both in his abbey, which, though very regular, still wanted some reform and in the Cistercian Order at large in which the question of reform was at that time much agitated. He immediately repaired to

the Abbey of Perseigne where he was received as a simple novice, being then in his thirty-seventh year. His constitution, naturally delicate, soon sank under the severities of the Cistercian rules; and at the end of five months he was seized with a serious malady which so alarmed the physicians that they gave him up unless he left the Order. Rancé refused, had himself removed to La Trappe, and was cured. Before pronouncing his vows he read his testament, in which he accused himself of having by his indolence been the cause of a great number of malversations; declared that he spoke without exaggeration and excess, and that his confession was as sincere as if he was before the Tribunal of Jesus Christ. His library, which he bequeathed to the monastery, was to revert to the Hôtel Dieu in Paris "to be sold for the benefit of the poor and sick" in case through unforeseen circumstances the reform should cease at La Trappe. In a letter to Mère Louise, dated 14 June, 1664, he wrote: "I await with humble patience the happy moment that is to immolate me for ever to the justice of God. All my time is employed in preparing for that great action. I study nothing else, unless that the odor of my sacrifice be agreeable to God, for it is not sufficient to offer oneself; and you know that fire from heaven descended not upon the sacrifice of that unhappy one who offered to God victims that were not acceptable to Him." On the 26 June, 1664, he made his profession in the hands of Dom Hichel de Guiton, Commissary of the abbot of Prières and Vicar General, with two other novices, one of whom, Antoine, had been a servant of his. Four days afterwards Pierre Felician took formal possession of La Trappe as regular abbot in the name of Abbot Rancé, who on 13 July, 1664, received the *benedictio abbatis* from Dr. Patrick Plunket, the exiled Irish bishop of Ardagh,[7] assisted by the abbot in the abbatial church of

[7] Dr. Patrick Plunket, who had himself been a Cistercian previous to his elevation to the episcopacy, having been abbot of St. Mary's, Dublin, was consecrated Bishop of Ardagh 11 March, 1647, and translated to Meath in 1669. In a report laid before Propaganda in July of 1669 it was stated that the Bishop of Ardagh, after his return from exile, ordained two hundred priests for various parts of Ireland, as at that time there was no

Saint Martin at Séez and departed next day to his monastery, whence, after a brief sojourn, he was called to Paris to the General Assembly of Regular Communities, whither, it is noted, he repaired in a humble cart, like a mendicant.

Deputed by the Assembly to plead at Rome the cause of monastic reform, which he had already successfully illustrated at La Trappe—where the monks had unanimously abandoned the use of wine, fish, meat, and eggs, and had resumed manual labor—he reached the eternal city on 16 November, 1664, six weeks after the abbot of Citeaux, who went thither to oppose the strict observance. The Pope, Alexander VII, greeted Rancé with these words of welcome, "*Adventus vester non solum gratus est nobis, sed expectavimus eum.*" [8] In the course of a Latin address, Rancé said: "Most Holy Father, we come from monasteries whither our sins have obliged us to retire, to hear your Holiness as an oracle through whom our Lord desires to make known to us His will." The question was referred to the Congregation of Cardinals, and commissaries were appointed to study it. Rancé, having learned that their decision [9] was not likely to be altogether favorable, returned to La Trappe, but only, in obedience to the Abbot of Prières, to reënter Rome on the 2 April, 1665. He tells us himself how he passed his time there, waiting the pleasure of

other bishop resident in that country save the infirm Bishop of Kilmore. Butler, by obvious error, mistakes the Plunket who gave the abbatial benediction to De Rancé for the martyred Archbishop of Armagh, Oliver Plunket. They were kinsmen and both belonged to the same family, the head of which is the Earl of Fingal. Patrick Plunket, the second son of the ninth Lord Killeen, died 18 November, 1679, aged 76. Oliver Plunket, the martyred primate, only definitely resolved to enter the ecclesiastical state in 1649 and was not consecrated Bishop of Armagh until 1669, so that it is impossible that he could have been the Irish prelate who officiated at the installation of Abbot Rancé.

[8] Your coming is not only pleasing to us but we expected it.

[9] The Papal Brief, which temporized with the reform and for the moment favored the Common Observance, was issued in 1666. Great commendations were, however, bestowed on the Strict Observance and superiors were enjoined to protect it, and the Pope, in a subsequent letter to De Rancé, expressed his full approbation of the reform effected at La Trappe.

the Holy See, while his biographies fill in the details and accessories which complete the picture of the life of a religious, withdrawn for a time from his silent retreat in the lonely valley to mingle among his fellowmen—estranged from a world which was once his delight, but which has no more delights for one who, as Chateubriand phrases it, sees everything through his tears. His diet consisted of bread, herbs, and water, and his daily expenditure never exceeded sixpence; he passed hours in prayers in the least frequented churches, or wandering through the catacombs, where, like St. Philip Neri, he imbibed the spirit of primitive Christianity at this source, the silence and seclusion of subterranean Rome, with its hallowed associations strangely harmonizing with the silence and seclusion of La Trappe. Few of what are called the sights of Rome in the guide-book sense of the term, had many charms for him. "Rome," he writes, "is to me as little supportable as the Court formerly was. I'll tell you nothing of the curiosities of Rome; I don't see them, and I don't feel any desire to see them. My only consolation is that which I find at the tombs of the Prince of the Apostles and the martyred saints, whither I retire as often as possible." There was a majesty which could only come from the God of Majesty in his exterior, say the writers of his life: those whose consciences reproached them fled his presence, persuaded that he knew by a supernatural intuition their most secret thoughts.

Before leaving Rome he obtained permission from the Pope to retire to the Grande Chartreuse. He visited on his return the spot sanctified by the dust of the great abbot of Clairvaux, where he wished to remain, had not the voice of duty called him elsewhere; and on 20 May, 1666, he found himself back again in La Trappe, where dissensions had arisen between the prior and sub-prior, the former having permitted certain relaxations of discipline which Rancé restored.

The reform of La Trappe from the greatest monastic irregularity to the highest degree of monastic perfection, is one of the most remarkable as well as most instructive and edifying events recorded in modern ecclesiastical history. If the aphor-

ism *nemo repente fit turpissimus* be well-founded, the converse of the proposition also holds good. The thought was evidently in Rancé's mind when he set about his reform. He did not rush things; he acted with deliberation and prudence. Every advance along the rugged road of penitence toward perfection was effected by degrees. He never introduced any new practice of devotion or austerity without first convincing the monks of its propriety; and he made it his uniform study to conciliate the affection and confidence of his community, which seldom comprised fewer than between two hundred and two hundred and fifty monks. It is noteworthy that he often had more need of the bridle than the spur in directing their penitential course. He was a mirror of holiness to the brethren. He never preached what he himself did not practice; never was under the necessity of suppressing what he once established; never quitted the monastery except on three special occasions after his return from Rome; never absented himself from the choir; and never failed to take his share of manual labor. This exhibited a much-needed contrast to the abbots of the days of decadence when they were great feudal lords, sat in Parliament, and rode out with an armed retinue; as the mortified lives of the monks were a silent rebuke to the luxury and licentiousness of the age. The same service which the monks of the Thebaïd rendered to the tottering empire of the Cæsars was conferred by the Trappists upon the libertinism of their own. De Rancé was to the Longuevilles and Montmorencys, what Anthony and Arsenius were to the degenerate children of Constantine.

The monastery, though very poor in subjects in the first years of the reform, in the sequel received such a large number that he was obliged to put some restriction upon admissions. They were of all sorts and conditions, cardinals, bishops, vicars-general, etc. Among the rejected were sometimes high-placed ecclesiastics. But he received all in whom he found the requisite dispositions, as far as the resources of the monastery would permit. It required no ordinary vocation to embrace such a rigid rule, which involved a total separation

of the religious from their families, their friends, and the whole world. It was death in life. Every monk, on his profession, wrote a letter to his family, informing them of the event and bidding them, for this life, a perpetual farewell. After this, no personal intercourse, no intercourse by letter, no communication direct or indirect of any kind was allowed between the monk and his family, or even between the monk and his parents. When a parent or any other near relation of any monk died, the abbot announced to the community that a parent, brother, or sister, or other relative, as the case might be, of a member of the community, was dead; and he requested the community to pray for the soul of the deceased. Nothing further was intimated on the subject. No public news was permitted to reach the monks. For several years after it happened, the death of Louis XIV was known in the monastery to the abbot only.

Not satisfied with completely excluding themselves from the outer world, De Rancé contrived that, though dwelling in the same monastery, they should be almost strangers to each other. When a new subject entered, his secular name was never mentioned nor was any information given respecting him or his family; and so much of the face of every monk was concealed by his cowl that it was almost impossible for another monk to recognize his features. Thus it sometimes happened that intimate friends, and even near relatives lived together in the monastery for several years without knowing it. Each one followed to the choir, the garden, or the refectory, the feet that were moving before him, but never raised his eyes to discover to whom the feet belonged. There were some who passed the entire year of their novitiate without lifting up their eyes, and who after that long time could not tell how the ceiling of their cells was constructed, or whether there was any ceiling at all. Such was their ignorance of the world's ways and usages that, when the Duchess of Guise was permitted to see the chapel, one of the brethren accused himself in the chapter of having looked at a bishop who visited the convent.

Mention is made of a monk whose heart was continually wrung with anxiety for an only brother, whom he had left leading a scandalous and disorderly life in the world. Since he had entered the monastery he never spent a day without shedding tears over his miserable condition, and imploring God to grant him the grace of repentance and amendment. On his death-bed he asked one request of the abbot, it was for a continuance of his prayers for the same purpose. De Rancé retired for a moment, and returned with one of the most useful and valued members of the community. When the cowl which concealed his features was removed, the dying monk recognized the brother for whom he had so long wept and prayed.

An aged monk was once selected to attend a youth of great promise who had entered the monastery and was dying of a slow decline. Day and night he watched by his bed with most anxious care and the most untiring solicitude, but in vain. The young man pined away like a crushed and broken flower and his remains were borne to their last resting-place in the monastic cemetery. One day the aged monk was observed standing beside the grave. Tears flowed down his wrinkled cheeks, and his breast heaved with the intensity of his emotion: for a moment nature triumphed over duty. At length the old monk died and was buried near the other in whom he had mourned an only son. They had lived in the monastery for many years without disclosing their relationship. In the infirmary each had recognized the other but concealed their mutual recognition.

A material restoration kept pace with the spiritual restoration. The number of the cells was increased, a guest-house erected, and two chapels—one dedicated to St. John Climacus and the other to St. Mary of Egypt—were built and enriched with relics brought from Rome. New Constitutions were framed in which Rancé developed and formulated the asceticism of the cloistral life, if indeed it may not be said that he restored to the fullest extent the severity of the ancient discipline, and in some features of the rule exceeded it, al-

though he always insisted that the reform was less austere than the monasticism of St. Benedict in its primitive purity. He once dismissed a novice because, in weeding the garden, he observed that the candidate pushed aside the nettles so as not to be stung by them. When an old abbot from another monastery, a venerable religious seventy years of age, signified by a sign to a brother, who was going to show him his cell, not to give himself the trouble, which the other obeyed, according to a rule which obliges one to follow the will of others in everything lawful, Rancé reproached the abbot in chapter, saying that, not content with ruining discipline in his own house, he came to scandalize them too, and imposed a penance on him. In the chapter-house had been inscribed the words, possibly by one who had been similarly put under a penance for a slight infraction of discipline:

> Le plus leger defaut passe ici pour un crime;
> Sans pitié, sans excuse, il est toujours puni.
> Et le corps, de l'esprit l'innocent ennemi,
> Par des rigueurs en devient la victime.

Space will not permit of describing in detail the austere rules by which the daily life of the Trappist monks was regulated; with what minute exactitude they were enjoined to fulfil all the obligations of the Rule, every moment having a special duty assigned to it, from 2 A. M., when they arose from their hard, uneven straw beds to chant Matins, until they were again allowed to snatch some brief repose after a day spent in prayer, silence, labor, and mortifications; and by what various means the toilsome ascent to the summit of Christian perfection—perfect detachment from the world and self, and perfect union with God—was effected.

The most distinctive characteristic of the Trappist observance is silence.[10] They were to communicate with each other by signs and gestures only, except in their necessary inter-

[10] Rancé set so high a value on the practice of absolute silence that on being asked once which of all his regulations conduced most to the religious perfection of the community, he assigned without hesitation the first place to silence; and declared he would part with all the others rather than give up that article of his reform.

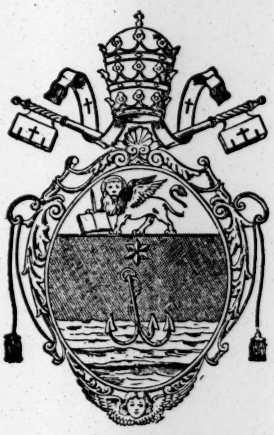
course with the superior and confessor, a prohibition that extended even to the sick, who must never complain, but, with the image of death before their eyes, fear nothing so much as life. "Solicitude," says Rancé, in his twenty-ninth Instruction, "is of little use without silence; for one does not separate himself from men except to speak to God, interrupting all converse with creatures. Silence is the conversation of the Divinity, the language of angels, the eloquence of heaven, the art of persuading God, the adornment of sacred solitude, the slumber of the watchful wise, the most solid nutriment of Providence, the foundation of virtues; in a word, peace and grace are to be found in the abode of a well-regulated silence."

They thus lived in total ignorance of what was passing in the world; they neither sent nor received letters, and did not converse with strangers or with each other on worldly topics, but only knew of what went on in the monastery through the open disclosures in the chapter, held twice a week, when they prostrated themselves before the abbot, to whose question "Quid dicite?" each one responded in a low voice, "Culpas meas." They only saw and heard what they could not avoid seeing and hearing: knew each other only by sight, or by their religious names; knew what novices were admitted or rejected; never contracted special acquaintanceships or particular friendships, and seldom raised their eyes. One novice never saw the ceiling of his cell; another was there three or four months without perceiving his brother, although he came a hundred times within the range of his vision; and even sometimes two brothers passed their lives in the monastery without being aware of their close proximity. Their diet was of the coarsest description, and restricted to what barely supported animal life; even on their death-beds they were denied whatever gratified the palate. Once because the brother who had charge of the bake-house made the bread, in Rancé's opinion, too fine, he put the whole house under penance.

R. F. O'Connor.

Cork, Ireland.

[TO BE CONTINUED.]



Analecta.

E S. RITUUM CONGREGATIONE.

I.

DECRETUM URBIS ET ORBIS.

Immaculatae Mariae Virginis vulgatum nomen *de Lourdes,* e celeberrimis ipsius Deiparae apparitionibus quae prope Lapurdum, Tarbiensis Dioecesis oppidum, anno quarto a dogmatica definitione de Immaculato Conceptu eiusdem Virginis, evenerunt, quum in dies magis magisque inclaruerit, simulque Fidelium pietas et cultus ob innumera exinde accepta beneficia, saepissime additis prodigiis, ubique terrarum mirifice adauctus sit; multi Romanae Ecclesiae Patres Purpurati, ac plurimi sacrorum Antistites et Praesules e cunctis orbis regionibus, praeeunte Episcopo Tarbiensium, Sanctissimo Domino Nostro Pio Papae X supplicia vota enixe porrexerunt rogantes, ut festum Apparitionis B. M. V. Immaculatae, vulgo *de Lourdes,* a fe. re. Leone XIII petentibus tantummodo Ecclesiis et Religiosis Familiis concessum, ad universam Catholici Orbis Ecclesiam suprema Auctoritate Sua benigne extendere dignaretur.

Quare Sanctitas Sua, exceptis libentissime eiusmodi precibus, Praedecessorum suorum vestigiis inhaerens, qui Lapurdense Sanctuarium permultis attributis privilegiis cohonesta-

runt: innumeris quoque peregrinationibus permotus, quae, mira sane Fidei professione, frequentissimo Fidelium turmarum concursu numquam intermisso ad memoratum Sanctuarium peraguntur: maxime vero pro Suamet erga Dei Genitricem primaeva labe expertem constanti pietate, ac spe fretus ob ampliorem Immaculatae Virginis cultum, rebus in arctis Christi Ecclesiae adauctum iri potens Ipsius opiferae auxilium; festum Apparitionis B. M. V. Immaculatae, quod a plurimis Dioecesibus et Regularibus Familiis iamdiu celebratur, inde ab anno insequenti, qui a Deiparae Virginis ad Gavi Fluminis oram apparitionibus quinquagesimus erit, vel a nongentesimonono supra millesimum, in universali Ecclesia sub ritu duplici maiori, cum Officio et Missa iamdiu approbatis, undecima die Februarii quotannis recolendum iussit: servatis Rubricis et Decretis. Praesens vero Decretum per me infrascriptum Cardinalem Sacrorum Rituum Congregationi Praefectum expediri mandavit. Contrariis non obstantibus quibuscunque. Die 13 Novembris 1907.

SERAPHINUS Card. CRETONI, *S. R. C. Praefectus.*

L. * S.

✠ DIOMEDES PANICI, Archiep. Laodicen.,
S. R. C. Secretarius.

II.

DIE 11 FEBRUARII. IN FESTO APPARITIONIS B. M. V. IMMACULATAE DUPLEX MAIUS.

Officium et Missa propria, a S. R. C. approbata, die 11 Iulii 1890, cum sequenti additione ad calcem VI Lectionis: "Tandem Pius X Pontifex Maximus, pro sua erga Deiparam pietate, ac plurimorum votis annuens sacrorum Antistitum, idem festum ad Ecclesiam universam extendit."

Sanctissimus Dominus Noster Pius Papa X, referente me infrascripto Cardinali sacrorum Rituum Congregationi Praefecto, suprascriptam additionem inserandam Officio proprio de Apparitione B. Mariae Virginis Immaculatae, benigne approbare dignatus est. Die 27 Novembris 1907.

SERAPHINUS Card. CRETONI, *S. R. C. Praefectus.*

L. * S. ✠ DIOMEDES PANICI, Archiep. Laodicen.,
S. R. C. Secretarius.

E CURIA ROMANA.

DECRETUM.

PETRUS TITULI SS. QUATUOR CORONATORUM S. R. E. PRESB. CARDINALIS RESPIGHI, SS.MI D. N. PAPAE VICARIUS GENERALIS, ROMANAE CURIAE EJUSQUE DISTRICTUS IUDEX ORDINARIUS ETC.

Cum Nobis constet librum, qui inscribitur "*Il programma dei Modernisti*—Risposta all'Enciclica di Pio X *Pascendi Dominici gregis*—edito in Roma dalla Società internazionale scientifico religiosa coi tipi di A. Friggeri—Via della Mercede 28, 29 in Roma" in hac Urbe venundari; cumque eius lectionem Christifidelibus scandalo et detrimento esse vehementer putemus; eum Auctoritate Nostra Ordinaria, proscribimus atque proscriptum declaramus.

Itaque nemini cuiuscumque gradus et conditionis Nostrae Iurisdictioni subjecto eumdem librum vendere aut legere vel retinere liceat sub culpa lethali.

Cum porro huius libri auctores et scriptores in adserta *Responsione* acriter tueantur systema, quod in Encyclica *Pascendi dominici gregis—omnium haereseon conlectum*—esse affirmatur; SS. Dominus Noster Pius PP. X per hoc Decretum auctores et scriptores, ceterosque omnes, qui quoquomodo ad hunc librum conficiendum operam contulerunt, Excommunicationis poena afficit, a qua Sibi soli absolutionem reservat. Addit SS. Dominus Noster, hoc Decretum valere perinde ac si traditum esset in manus uniuscuiusque ex dictis auctoribus et scriptoribus, qui si sint sacerdotes et actum Ordinis exerceant, in Irregularitatem incurrent.

Nil autem satius esset, ait SSmus, quam ut omnes Episcopi, in sua quisque Dioecesi, hanc proscriptionem indicerent et censuram promulgarent.

Datum Romae, die 29 Octobris 1907.

PETRUS RESPIGHI, Card. Vic.

FRANCISCUS Can. FABERI, *Secret.*

Studies and Conferences.

OUR ANALECTA.

The Roman documents for the month are:

S. CONGREGATION OF RITES: 1. Issues a decree by which the feast of Our Lady of Lourdes, hitherto limited to certain dioceses and religious communities, is extended to the Universal Church, to be celebrated annually on February eleventh. 2. Ordains that the Office and Mass, granted for the feast of Our Lady of Lourdes, on 11 July, 1890, be inserted in the Roman Calendar as a feast of double major rite, becoming obligatory on 11 February, 1909.

The CARDINAL VICAR OF ROME condemns the work entitled *Il programma del Modernisti*, and promulgates the censures of excommunication and irregularity against those who are parties to its production and dissemination.

THE ARTICLE ON THE NEW MARRIAGE LEGISLATION.

We have given in this number of the REVIEW, as far as seemed feasible, a complete account of the meaning and practical bearing of the new laws regarding Betrothals and Marriages. Father McNicholas has made a thorough study of the recent legislation's various applications and of the difficulties that have arisen from the discussions by the different authorities who have commented on the subject. There still remain doubts, however, about the precise application of the law to conditions in America, especially in regard to mixed marriages. These doubts can only be solved by decisions from Rome. It might be well to have some representative canonist from this country go to Rome and there personally present the difficulties and obtain a judgment that would cover the entire ground rather than answer separate questions submitted from various quarters.

We have, as far as possible, given the matter that practical form which will not merely serve the canonist and supple-

ment the chapter *De Sponsalibus et Matrimonis* in our present theological text-books; but which will also enable the parish priests to place before their people exactly what they have to do.

The whole matter will be promptly published in convenient pamphlet form, so that it may be added to the pastoral library of priests and seminarists.

THE NEW MARRIAGE LAW FOR OUR PEOPLE.

What They Should Know About It.

ENGAGEMENTS AND MARRIAGES AFTER EASTER, 1908.
AN ABSTRACT OF THE NEW LAW FOR THE PEOPLE.

ENGAGEMENTS.

1. Every matrimonial engagement after Easter must be in writing, although there is no necessity nor obligation to enter into a formal engagement before marriage.

2. In the eyes of the Church and before God, private betrothal after Easter between Catholic parties, or between fallen-away Catholics, begets no matrimonial obligation whatever, because the Church decrees that every prenuptial contract is void unless it is written and duly attested.

3. Parties wishing to become engaged must sign the prenuptial contract, and have the bishop or their pastor, witness it. In the absence of the bishop or priest, two witnesses must sign the engagement. If one or both of those to be engaged cannot write, this should be noted, and three lay witnesses must sign the engagement in the absence of the bishop or the parish priest.

4. These engagements should be encouraged. If made some months before marriage, they will help to stop hasty alliances which are the cause of so many divorces outside the Church and of so many unhappy marriages among Catholics.

5. This written contract would furnish good grounds in our civil courts for breach of promise suit.

6. Protestants and all who have never been baptized in the Catholic faith are not subjects of this law, hence their private contracts bind, for the simple reason that the Church has not

made these the conditions under which they must enter into an engagement.

7. All fallen-away Catholics, whether they have become Protestants or infidels, are bound by the law. The Church, like the State, can bind her refractory subjects.

MARRIAGE.

1. Every Bishop (or Vicar General or administrator of a diocese) can validly marry in his own diocese any parties, irrespective of the country or place whence they come. The bishop can delegate any priest to do the same.

2. Bishops or priests may not assist at marriages until they have assumed office.

3. There is no marriage at all, if the priest be compelled to witness it. There is no marriage if the priest does not ask and receive the consent of the parties.

4. The authority which the bishop has in his diocese, the parish priest has in his parish.

5. The bishop outside his diocese, and the pastor outside the limits of his parish, cannot validly marry their own or other subjects without due authorization.

6. Marriage before a priest who is suspended or excommunicated by name, will be no marriage at all.

7. Marriage of all Catholics (both parties Catholics) before a minister or civil magistrate will be no marriage at all.

8. Marriage of all fallen-away Catholics (who have become Protestants or infidels) before a minister or civil magistrate will be no marriage at all.

9. Marriage of a Catholic to a non-baptized person is never a real marriage unless the Church grants a dispensation. Such a marriage before a minister or a Justice of the Peace is no marriage at all for two reasons.

10. Marriage of a Catholic to a Protestant (one never baptized in the Catholic Church) before a minister or civil magistrate will be no marriage at all, unless the Holy See makes a special law for the United States.

11. Marriage of a Protestant to a Protestant (provided they were never baptized in the Catholic Church) is valid.

12. Marriage of a non-baptized man to a non-baptized woman is valid as a life-long contract. These parties do not receive, however, the Sacrament of Matrimony.

13. There will be no marriage at all unless there be two witnesses—one witness with the priest will not suffice.

14. Bishops or priests should not witness marriages until they are morally certain that the parties to be married are free to enter the matrimonial state, hence as far as possible dispensation from the publication of banns should not be sought.

15. For the lawful celebration of a marriage, one or other of the contracting parties should have a domicile or live for a month in the parish where they are to be married. This condition is not, however, essential for the validity of a marriage.

16. Marriages of persons without fixed abode should be referred to the bishop before the ceremony takes place.

17. Marriage should take place in the parish church of the bride, unless there be good reason to go to the pastor of the groom.

18. There are new rules to be observed by the priest for the the registration of marriages. When contracting parties are to be married in a church where they were not baptized, they should before marriage secure their baptismal certificates. See above pp. 151-155.

19. Marriage entered into when there is danger of death, can be witnessed by any priest with two witnesses, provided there is not time to reach the bishop, parish priest, or priest appointed by either of these.

20. If for an entire month, parties cannot secure bishop, parish priest, or any priest appointed by either of these, they may in the presence of two witnesses (there is no marriage if there be not two witnesses) declare their consent to marry. They are then in the eyes of the Church and before God married. As soon after the marriage as possible they should send their names to the parish priest for registration and do whatever is required to have their marriage legally recognized by the State.

A CATECHETICAL MOVEMENT.

Writing on "the form of our Catechism," *Scholasticus* in this year's first issue of the REVIEW concludes his remarks thus: "The radical changes in the make-up of the text-books in secular knowledge strongly suggest that the question of your correspondent needs serious consideration, and the undersigned begs leave to express the hope that the pages of the REVIEW, as the most fitting place, will now witness an earnest though friendly interchange of opinions on this vital matter."

Scholasticus is in good company. Serious catechists the world over are debating the same questions, with a few to boot. Along with proposed reforms of our catechisms—in all languages—there have naturally arisen great questions on the best practical catechetical methods. We find ourselves in the society of famous educators. At the outset we may adduce two names, undoubtedly all-sufficient, Bishops Bellord and Knecht. The first named in his brochure *Religious Education and its Failures* (Notre Dame, Ind.) has this to say: "It would appear that the arena of the Church's conflict is no longer the General Council, or the Legislature, or the battle-field, or the tribunals of (in)justice, or the pulpit, but the school-room; and that the chief cause of the 'leakage' is *the imperfection of our systems of religious instruction. Those methods seem to be antiquated, injudicious, wasteful, sometimes positively injurious to the cause*" (p. 7). "During late years methods of education have been fundamentally changed. A definite science and art of education have been created, grounded on principles of psychology and on the ascertained characteristics of children's minds" (p. 18). "Catholic methods of religious instruction have not kept pace with those adopted for secular subjects. Education in religion is carried on in the obsolete wearisome manner of past centuries" (p. 19). "Catechism became the most difficult of tasks, and children could not but contrast it unfavorably with their other studies and learn to dislike it" (p. 19). "I have examined many catechisms. In point of doctrinal truth they are unexceptionable. As handbooks for children not one of

them seems to me to come near the mark. They have, from internal evidence, been drawn up by persons deeply read in theology, possessing little elasticity of mind, incapable of putting themselves in the place of others, *without any experience of actual teaching of young children.* I have before me a catechism which generations of unhappy children have had to commit to memory; and I am not surprised that its diocese is notorious for irreligion and immorality" (p. 37). "This, it must be said, is an extreme case. Still, in every catechism I find simple things made obscure, words multiplied excessively, stilted and technical language, instead of natural and colloquial speech; much that is quite unnecessary is to be learned word for word, and *much is omitted that it is necessary to know at the present day.*" "The question of an efficient religious teaching for our children has risen to the dimensions of a great problem; it is the object of a new science—catechetics" (p. 41). "Even now many are found who urge that the learning of exact formulas about religion, even if they be quite unintelligible to the learners, is of supreme importance. These words, they say, will remain in the mind steady as a rock through all the storms of life; they will recur to remembrance at length, clothed with the fulness of their meaning, and will become the starting-point for a life of faith, devotion, and virtue. On such grounds as these there has been founded a perverse cult of the dead letter of the catechism, accompanied sometimes by a total neglect of the spirit which giveth life. In some places it was required that boys should be able to go through the whole catechism, question as well as answer. They stood round in class and began 'Who made you?' Each boy in turn answered one question and put the next question to the next boy, and so on. What an amount of misapplied labor! How much more profitable would have been a few edifying or instructive or stirring words" (p. 52). "Unfortunately, old superstitions die hard, and the worship of the letter flourishes" (p. 53). "In substituting sounds for knowledge and mistaking words for things, some teachers have gone almost as far as the Chinese

apothecary. If he has run out of a certain drug required for a prescription, he writes its name down and washes off the wet ink into the rest of the mixture; in extreme cases, where no medicine is to be had, the physician makes his patient swallow the written prescription. Our children might just as well have the catechism administered to them in this way through the stomach as through the merely verbal memory" (p. 54). Strong words! "In religion, as in every science, there are of course certain things which should be committed verbally to memory, but these are far from numerous" (p. 57). "Religious instruction should be rather modelled on the object-lesson of modern schools than made a lifeless repetition of sounds" (p. 57). "The Rev. M. F. Glancey suggests a very heavy indictment against the current methods of religious instruction. He begins by pointing out that catechetics is a science and an art, forming an important subject that has been fully investigated in Germany, while we have not yet grasped the truth that such a branch of knowledge exists."

Now I am not a German patriot, not even a German. I have not quoted these words of Bishop Bellord to foist some German hobbies on our teachers. I know that the Germans are not the only, nor are they the most progressive, catechists. To witness this, I may adduce only the latest effort in catechetics—*an illustrated Polish common school catechism.* I have chiefly quoted Bishop Bellord lest some unknown friend of mine might be tempted to brand me a Modernist.

But let us hasten to hear that greatest of modern catechists, Bishop Knecht, of Fribourg, Germany. There was held from 1-7 September last in Munich, Bavaria, a catechetical congress, at which not less than 490 daily participants, priests and laymen, many of them famous catechists, gathered. The greatest living Catholic philosopher, Dr. Willmann, of Salzburg, Austria, delivered two lectures, Dr. Knecht one. Even that famous non-Catholic educator, Dr. Rein, of Jena, honored the congress with his presence and a few well-chosen words. And here are the words of Dr. Knecht's lecture:

"Catechetical instruction should be a catechesis, not an exegesis. There exists still too much textual analysis in the teaching of catechism. Now, this principle is not even Catholic in its origin. We first find it among the Lutheran reformers. It amounts to tearing to pieces, not explaining.[1] Heart and will remain empty. The latter becomes a catechist, the catechist a mere instrument. Catechesis existed fifteen hundred years before the catechism, and must not be supplanted by the latter. Catechism is only a synopsis of particular catecheses, which should be so ordered that they will naturally lead to the questions of catechism. If you question a pupil, you should at least first so instruct him that he may be capable of giving correct answers. All verbalism must be abolished. Unction must return to instruction. Religious education must be made acceptable and pleasing." On the whole Dr. Knecht approved the now famous Munich catechetica[1] method. On this subject we may with permission have something to say in the future.

Still more lucid are the words of the same Dr. Knecht in the Fribourg *Kirchenlexikon* under the article on "Katechese": "Employing this method (explaining the catechetical questions word for word) the catechist does nothing but dissect sentences and concepts, so that instruction develops into mere exegesis. Such teaching repels children and cannot rivet their attention, divided between the book and the teacher. This method, which first marshalls abstract concepts and then dissects them, contradicts also the acknowledged didactic principle that to children must first be presented things, then words; first images, then concepts; for it proceeds in exactly the opposite way, as it first proposes words not understood, then leaves to the catechist the clothing of the dead skeleton with flesh and blood. Catechisms namely are built almost wholly on the analytical principle; they begin e. g. with the definition of particular sacraments and then analyze them through a series of questions and answers. And if then the

[1] "Das ist ein 'Zerklaeren,' aber nicht 'Erklaeren.'"

catechist explains every one of them analytically, we get an analysis of an analysis—children become dizzy from all these explanations, lose the connexion and fail to see the forest for its very trees. We need not wonder, then, if children dislike catechism; and, as goes the common complaint, the results of religious instruction fail to correspond to the time and labor expended; *the faulty method carries with it a great part of the blame.*"

Here we have the reasons for a great and generous catechetical movement among the Germans and the Western Catholic Slavs. It has culminated in the already justly famous catechetical congresses of Munich in 1905 and 1907, Vienna in 1905, Salzburg in 1906, Luzern in 1907, Agram in 1906, Laibach in 1907, etc. Every one of them was cosmopolitan in character. Highly scientific, yet practical lectures were given; even practical catechizing in the school-room was attempted. Of most of these congresses there have already appeared full reports that unquestionably comprise the best things yet said on religious instruction. Practical and comprehensive exhibits of catechetical literature and various helps for objective teaching were arranged at some of them, notably at the last one held in Munich. Here the best literature, both Catholic and Protestant, was on view, in two divisions; the first contained the latest and best works on the 'new' catechetical movement, the second was a library of commentaries on catechism and Bible History. In the section of objective helps to catechism there were found the best series of Biblical pictures by nineteen different artists, then twelve picked selections from other picture-series or artistic works, besides charts, pictures on Church History and liturgy, etc.

There are two famous publications on catechetics in the German tongue, the *Katechetische Blaetter* of Munich and the *Christlich-Paedagogische Blaetter* of Vienna.

In conclusion a word may be said on the latest, most modern catechism. It is a Polish work, by Bishop Likowski, now reëdited by Valentine Gadowski, and published in Tarnow, Austrian Poland. It is destined for about the Fourth, Fifth

and Sixth Grades of the Grammar School. Its wording is of the simplest; it avoids as much as possible all abstract terms, or limits them to the least possible range, especially the definitions. It does not say: "What do you mean by God's omnipresence?"—but "Where is God?" Not "What do you mean by God's eternity?" but "Since when is God?" Long questions and answers are separated into many. The division of subject-matter is highly practical. Questions to be memorized are limited to the least possible extent, only forty in one year. Upon every question there follows a long and very appropriate explanation. Matters of practical contemporary importance are included, e. g. the duty of voting, social questions, natural sciences, Bible-reading, spiritism. Examples are well chosen; liturgy, Church Fathers are dexterously brought into the text. *But its special worth is in the illustrations.* After seeing them we wonder how this admirable help to study should so long have been overlooked in our catechisms. To-day we cannot imagine a Bible History without illustrations. And yet, is not catechism much harder than Bible History? Any one who has seen an illustrated catechism will want none other. This Gadowski catechism contains 215 illustrations, scattered through its 500 pages. Of course, some of these illustrations could be improved, but I venture to say that those in our Bible Histories should be much more so. Here Christian art has a wide and profitable field to cultivate.

The German diocese of Augsburg is now using an *illustrated catechism.* The illustrations are quite copious. I understand, however, that the present pictures are inserted only provisionally and experimentally, and that they are to be replaced soon by pictures of Fuehrich. It may be added that the Augsburg diocesan catechism is regarded almost universally by catechists worthy of the name as one of the best, if not the very best on the market anywhere. If my information be correct, it was published by the Schmids, of Augsburg, in 1904. Its authors are Kinzel and Hauser, two eminently experienced and universally respected catechists of the

Augsburg diocese, both men of advanced years, who have taught catechism daily all their lives. These two men have, in union with other capable German catechists, labored *for ten years* in preparing a catechism that is well adapted to child-nature and withal theoretically as perfect as conceivable to the authors. When the *schema* was ready, it was submitted to 500 of the pastoral clergy of Augsburg, and their criticism was requested. Deharbe's division was kept, yet a methodical and highly serviceable work resulted. To-day the dioceses of Augsburg, Regensburg, and Rottenburg possess the best German catechisms.

But speaking of illustrated catechisms we are happily in still more renowned society. No less a personage than Pope Pius X, when Patriarch of Venice, employed in his diocese an illustrated catechism. It is still in use, I think, in all Lombardy and contains very pretty illustrations. There is also, I believe, a new Magyar catechism which excels in handsome pictures; but I have not been able to trace just which one.

The best is none too good for Catholic children—a fair motto for our American Catholic pedagogues.

Of the latest and best German Bible History, Ecker's, we may have a word to say later on.

FRANCIS L. KERZE.

Cleveland, Ohio.

WHY THE DISCRIMINATION?

Qu. A friend, having read the article on "Parish Rights of Foreign Immigrants" in the January number of the REVIEW, asked me why the privilege accorded to foreigners to join other congregations than those of their own nationality was restricted to affiliation with *English*-speaking parishes. Would it not be more just to extend the privilege to all nationalities, and to allow a foreigner to join any parish whose language he speaks or understands? I think that a good deal of harm will come from this concession, since our bishops have allowed foreign Catholics to build churches and schools, which, if everybody can desert them

as soon as he or she has learned sufficient English, will soon be empty and useless. M.

Resp. The Church, like all legislating authority, must and does look to the greatest good of the greatest number. Now the greatest good of the greatest number demands that the people of the United States, as soon as possible and without violence to their habits and prejudices, amalgamate and form into one national body, rather than perpetuate the sectional differences of the old countries whence they emigrated to better their fortunes. The sectional differences which hinder national unity are, as a matter of fact, perpetuated by the maintenance of separate languages so long as these are made the vehicle of public and official expression. Such a condition is not favorable to national prosperity because it fosters separation and antagonism. The language which voices the national sentiment of the United States, promulgates its laws, is the recognized medium of its public institutions, educational, commercial, financial, and of its international relations, is the English language. It is desirable and it is of the greatest importance that every one who claims the protection of the laws and the advantages of the institutions of our commonwealth should be familiar with the English language. The ignorance of it among immigrants is the cause not only of much inconvenience and abuse, but of crime and lawlessness from which the law-abiding population which pays taxes for the maintenance of a stable government suffer, *nolens volens*. The tendency to make laws to restrict immigration is perhaps mainly due to the lack of a medium of communication which would make the foreigner a peaceful guest during his postulantship. If he understood the law and was amenable to counsel, he would adapt himself to new conditions for his own benefit as well as that of the country of which he aspires to become a citizen. All these conditions favor the adoption of the English language for the citizen of the United States, whatever preferences he may have for his native tongue and manners as matters of education and domestic association.

Hence, as we pointed out in the January number, the Holy

See, whilst constantly recognizing the importance of providing in their national language for the spiritual needs of immigrants who cannot speak the English tongue, can by no means have the intention of perpetuating foreign elements, inasmuch as they might prove a hindrance to the unification of the American commonwealth which promulgates its laws and administers its public offices through the medium of English speech. The establishment of recognized parishes of foreign nationality is justified only by necessity and expediency, so long as it is the sole or chief means of preserving to the immigrant the faith in which he seeks his highest future good. To assume that this condition should be perpetuated beyond the bounds of necessity or of immediate expediency, would be to ignore American national development and would be contrary to the spirit of the Constitution, which is the safeguard of our rights, even as Catholics, against unjust aggression. It is expected that the foreigner or his children shall adopt the language of the land for the sake of ministering to its spirit of patriotism. And this means no more than to do one's rightful share toward creating national harmony and the benefits which accrue to citizens from a well governed and unified commonwealth.

Nor is there any great hardship to be apprehended from this process of amalgamation, even if it implies the eventual elimination of all foreign national traditions such as is indicated and fostered by separate churches and educational service in a foreign tongue. It is true that a parish priest who has ministered to a foreign population in their own language might see his parish dwindle down to narrow limits as the younger generation and those who prefer the English language drift away, and leave their pastor with a mere handful of his former flock. But such conditions are unavoidable under the circumstances, and a prudent bishop will find ways and means to equalize things by altering the limitations on strictly national lines justified by the original status of the population. There is no reason why a congregation should be held to the use of a foreign idiom when the religion can

be interpreted to its members in the language of the land, due allowance being made for the national prejudice, which being ingrained claims a certain right of existence not always subject to reason or equity. Hence all our churches should be built with the view of their being ultimately converted into use for American congregations, whose ancestors intended to bestow the inheritance of the faith on their posterity together with the legacy of a new citizenship.

ETHICS AND EMBRYOLOGY.

(*Communicated.*)

Brooklyn is now known to be a generous foster-mother of lectures and is even said to have replaced Boston to a noteworthy degree in that respect. This year even Brooklyn was to witness a new departure in the lecture field. Under the auspices of the International Catholic Truth Society and with the most cordial approval of the Right Reverend Charles E. McDonnell, Bishop of Brooklyn, during the months of October and November of the present year a series of lectures was given in that city which doubtless is the first of the kind given, at least in this country and perhaps anywhere in the world. The audience at these lectures which sometimes numbered over a hundred, consisted of clergymen and physicians. It had been suggested that a series of talks on Heredity, Embryology, and related subjects, treated from a distinctly scientific standpoint, would be of value for the clergy, many of whom had listened to a series of lectures on Darwinism given by Dr. James J. Walsh before the Brooklyn Institute of Sciences during the preceding winter. The expectations of those who organized this course were fully realized, and the large numbers of priests and physicians who attended were deeply interested in the strictly scientific presentation of numerous topics bearing equally upon the direct interests of the theologian and the physician. As was stated in the introductory remarks of the President of the Historical Truth Society, few would be disposed to question the benefit to the clergy arising from a deeper, more detailed, and accurate knowledge of certain prob-

lems in embryology, heredity, etc., and he believed that a presentation of such problems in the clear light of Catholic doctrine and in terms of the best scientific thought would be no less beneficial to the members of the medical fraternity. Nor, he declared, was it a little thing, this gathering together of such a large body of priests and physicians, whose combined ethical power is so vast, to discuss ways and means how best their influence in these matteres might be brought to bear upon the thousands of men and women suffering from physical and moral ills.

The physicians were as faithful in their attendance as the clergy and it may be said that a number of the prominent Protestant physicians heard one or more of the lectures and were deeply impressed with this evident effort to look serious ethical difficulties in the face and discuss the principles of which the important problems at issue were to be solved. A very valuable feature was the fact that at the conclusion of each lecture an opportunity was given for the asking of questions, an opportunity that was freely taken advantage of. Besides this, as a rule groups of the clergy and physicians remained for some time afterwards discussing various phases of the problems that had been the subject of the day's lecture.

There are many more questions that lie on the borderland of such knowledge as physicians and clergymen must have for the effectual performance of their lifework than are usually realized. While the embryological problems are the most serious, there are many others of minor significance, yet of distinct importance. Most of the questions that concern heredity present ethical as well as physical elements. The whole problem of the marriage age, which is gradually growing older in all civilized countries, to the detriment of morals on one side and the detriment of health both that of the mother and the child on the other, is a typical example of these subsidiary questions. Those who marry later in life are less prone to put up with one another's shortcomings, and this fosters the divorce evil. Besides, the late marriages are more likely to provide those serious difficulties in parturition which

may require the most delicate application of ethical principles as to the right to life of the child when two lives are in danger.

The problems involved in the social diseases, which are becoming so much more common with the growth in size of our large cities, have already led in certain places to the union in organizations of educators, physicians and the clergy, in order to stem the tide of advance in evil and especially lessen the ignorance which has been somewhat at the root of the spread of such diseases. Of course this represents one of the thorniest of problems in our modern social life. There is no doubt, however, that its frank discussion from the scientific standpoint can scarcely fail to do good, and the knowledge that accrues from such discussions may be used to decided advantage in the confessional and whenever there is question of fatherly advice. These social diseases add to the problems of marriage and involve very often the health of offspring, so that definite knowledge with regard to them represents large possibilities of preventing evil from many sources.

There are other less serious questions, which yet sufficiently concern ethical principles, to ask for not only discussion before mingled audiences of clergymen and physicians, but also demand their cordial coöperation if evils are to be prevented. For instance, the question of the morality of such a business as is ordinarily carried on by the seller of a proprietary remedy, must sometimes form the subject of conscientious scruples. Any serious physician will assure an inquirer in the matter, that not only are these remedies so highly advertised absolutely useless, as a rule, and indeed often harmful, but that the persons who put them on the market are well aware of that fact. They are simply an imposition on the people who are attracted to them by the promise of cure—often for even incurable disease—which they hold out. It is in most cases a deliberate getting of money on false pretenses. Can men engage in such business with safety to their consciences, or how far may such business practices be permitted to go on, is a question that is not always easy to decide. The knowledge as to the nature of these remedies, which are never

secret, the physician has. The decision as to the morality of the acts in question lies with the clergymen when he realizes what the state of affairs really is.

With such subjects for discussion it is not surprising that the lectures were well attended; and it would seem as though they would probably prove the model for further courses of the same kind in other parts of the country. The bringing together of the clergy and physicians in fraternal solicitude for those who are involved in these serious questions can only do good of itself, and this intimate association will awaken a sympathy that will not only decrease the possibility of any friction that there might be with regard to problems in which the two professions are involved, but also will make both sides view the questions at issue with larger and more liberal-minded attention and with that deeper vision which will assure a better solution.

THE LATEST EDITION OF D'ANNIBALE'S MORAL THEOLOGY.

We have already referred to the enterprising spirit of the publishers who recently issued a new edition of Cardinal D'Annibale's admirable *Summula Theologiae Moralis,* which contains an analysis of the new marriage legislation and brings the work up-to-date in other respects. It is but fair to the student, however, that we direct attention to some omissions by the editors of the fifth edition of which our reviewer in the December number had not taken note. There is no mention of the "censurae latae sententiae" of the Decree *Ut Debita,* S. C. C., 11 May, 1904, nor any reference to the recent legislation of the S. Congregation touching the celebration of Masses. The results of the controversies on the subject of *impotentia* and *foecundatio artificialis* as explained in Antonelli's work might also have been introduced in their place, since the "status quaestionis" on these topics has been considerably altered within the last ten years. The important modifications of the law giving a more definite and extended interpretation to the faculties regarding the hearing of confession of travellers at sea (S. Off. 4 April, 1900; 23 August, 1905, and 12 December, 1906), and others,

are not inserted, and will naturally be looked for in a standard work "novissimis decretis locupletata," as the title-page announces. For the rest, we can only repeat what has already been said of this new edition as an improvement on the former issues in point of general arrangement and typography.

THE FORM OF OUR CATECHISM.

Editor, THE ECCLESIASTICAL REVIEW:

Kindly allow me to thank "Scholasticus" for his interesting contribution on this subject.

Not all recent attempts at reform in the writing of the Catechism have accepted the question-and-answer method as the only right form. Some eighteen years ago the Archbishop of Dublin appointed a committee of competent men to revise the Catechism. At first nothing more than a simplifying revision was intended; but months of careful work led to the conviction that a new text-book had to be written. The Archbishop placed before the committee a number of suggestions, and the first of them was this: "One of the chief features of the work to be done should be the introduction of short reading lessons, one to be appended to each chapter of the Catechism. These reading lessons should deal, in somewhat fuller form, with the matter dealt with in the questions and answers of the Catechism. The insertion of such lessons would make it possible to omit without loss many questions the answers to which now impose a heavy burden on the memory of the children. In this way room would be made for the insertion of several matters of importance at present not to be found in the Catechism. . . . If these lessons are written with care and skill, and in a style attractive as well as simple, the children will soon have them learned by heart, from the mere fact of repeatedly reading them, and without any formal effort at committing them to memory."

His plan was to restrict the question-and-answer part to a minimum of essential doctrine, and to rely chiefly on the reading lessons as a means of reaching the intelligence of the children. I did but go a very small step beyond this in suggesting that the question-and-answer part be merged entirely in the lesson, and that some suggestive questions be appended in aid of inexperienced teachers.

The word *catechism* implies questions with oral instruction, not necessarily in the text-book. Our most authoritative Cate-

chism, the one of which Newman says in his *Apologia:* "I rarely preach a sermon but I go to this beautiful and complete Catechism to get both my matter and my doctrine," is the Catechism of the Council of Trent, and it has not the question-and-answer form. It is the most authoritative book bearing the name of Catechism; but I suppose that both in the order of authority and that of time our first catechetical text-book is the Apostles' Creed, of which the negative features are: no definitions, no questions, no big words, no abstract terms. TEACHER.

A NEW FORM OF GRANT FOR THE STATIONS OF THE CROSS.

The following document suggests for the making of the Stations of the Cross a method which will recommend itself to priests in charge of penal institutions. It was granted to Fr. A. M. Fish, chaplain to the New Jersey State prison, and would probably be extended, on proper application, to other priests similarly situated, thus securing the usual indulgences attached to a form of devotion to the Passion of our Lord which has always offered a most powerful instrument for the conversion and the reformation of sinners. The priest simply recites the prayers of the Station before the crucifix on an altar erected at the end of the corridor, so that he can be heard by the prisoners in their cells.

BEATISSIME PATER:

Fr. Aloisius Fish presbyter Ordinis Min. Conventualium, capellanus Carcerum Trentonii in dioecesi Trentonensi, ad pedes S. T. provolutus humiliter petit ut fideles in iis carceribus detenti lucrari valeant Indulgentias pio exercitio Viae Crucis adnexas in communi Oratorio, quod aliquando est commune ambulacrum, ubi Stationes erigi nequeunt, una tantum Cruce, perdurante pio exercitio, super altare exposita, et unoquoque adstantium locum suum tenente dum presbyter consuetas preces ex loco altiori vel suggestu, ut ab omnibus audiatur, recitat.

Ex Audientia SSmi habita die 19 Novembris 1907 SSmus Dominus Noster Pius Divina Providentia PP X, referente me infrascripto S. Congregationis de Propoganda Fide Secretario, benigne adnuere dignatus est pro gratia iuxta preces.

Contrariis quibuscumque non obstantibus.

Datum Romae ex Aedibus S. Congregationis de Propaganda Fide, die et anno praedictis.

Ecclesiastical Library Table.

RECENT BIBLE STUDY.

1. The Greek Bible.[1] Our oldest manuscript Bibles are wholly in Greek. Not that the original language of the whole is Greek; for the first Gospel and the Old Testament, excepting II Mach. and Wisd., were written in a Semitic language. But then the Gospel of St. Matthew was translated into Greek at such an early date and by such competent hands that its Greek text is for all practical purposes the equivalent of its primitive Aramaic; and the Greek translation of the Old Testament was so highly esteemed in the early age of the Church that several Fathers considered it, even in its character of version, as inspired by the Holy Ghost. We do not claim that the Hebrew text of the Old Testament can be neglected by the Bible student; but its Greek translation often exhibits readings older than our Masoretic text.

The Hebrew text was translated into Greek at different times and by different persons in Egypt, beginning as early as the third century B. C. By 100 B. C. the complete version, known as the Septuagint, had already found its way from the land of the Nile to the remoter parts of the Jewish Dispersion. Its influence extended over the whole of the Hellenistic Jewry, and though our Lord did not use it as the basis of His teaching, the Apostle of the Gentiles may be regarded as the representative Septuagint-Christian. Just as the Greek writings of the apostles and evangelists constituted the New Testament for primitive Chistianity, so was its Old Testament identical with the Septuagint. Even to-day, the Greek Bible is for Greek Christianity what the Vulgate is for the Latins.

2. Biblical Greek. The importance of the Greek Bible is paramount; the primitive text of the bulk of the New Testament is Greek, and the Septuagint version of the Old Testament was practically the Bible of primitive Christianity, and exerted a perceptible influence on the language of the New Testament. Hence we understand the importance of the

[1] Cf. *The Expositor*, Oct. 1907, 289 ff.; Nov. 1907, 425 ff.; Dec. 1907, 506 ff.; *The Expository Times*, XVIII. 8, 57, 103, 202, 305.

study of the language of the Greek Bible. In the early days of Christianity, the admirers of the ancient Greek culture taunted the Christians with the boatman's idiom of the New Testament; some of the Fathers made this very homeliness the object of their boast.[2] In the beginning of the seventeenth century the so-called *Purists* attempted to prove that the literary form of the Bible as a whole, and of the New Testament in particular, was artistically perfect; the so-called *Hebraists* absolutely denied this contention.[3] These disputes kept alive the interest in the subject, though they did not settle the question finally.

It had to be granted on all hands that under the Empire the men of the great world no longer spoke the old Doric, Æolic, Ionic, or Attic dialects, but a "common" tongue, a universal language that was understood everywhere. This "common" language exhibited two strata, a colloquial and a literary form, both of which again shaded off into various differences according to their use by educated or uneducated men. We possess works written under the Atticist movement, and also examples of the colloquial language of the educated classes; but until some twenty years ago examples of the popular colloquial Greek spoken by the lower classes under the Roman Empire were practically non-existent, at least for most scholars.[4]

And what was said about the language of the New Testament? The language of both the Septuagint and the New Testament was brought into as close contact with the "common" Greek as possible; it was said to belong to the Hellenic idiom noted for a prevalence of the Doric dialect; again, it was classed as the so-called Hellenistic variety of the Hellenic idiom, owing its origin to the influence of the Jews living in the Greek world; finally, the Greek of the New Testament was considered to differ from the Hellenistic variety on account of the specifically Christian ideas it had to express. Had the students of the New Testament language been content with this description, they might have been justified. But they did

[2] Cf. Norden, Die antike Kunstprosa vom VI. Jahrhundert v. Chr. bis in die Zeit der Renaissance, Leipzig, 1898; II, 512 ff.

[3] l. c., II. 526 ff. [4] *The Expository Times*, Vol. XVIII. 57 ff.

not stop here; they kept on differentiating the language of the New Testament from all the other Greek dialects till they had completely isolated it. Thus it became fashionable to speak of New Testament Greek.

Edwin Hatch wrote *Essays in Biblical Greek* (Oxford, 1889); H. A. A. Kennedy wrote on the *Sources of New Testament Greek* (Edinburgh, 1895); H. Cremer published a *Biblico-Theological Lexicon of New Testament Greek* (Ninth ed., Gotha, 1902); Winer brought out several editions of a *Grammar of the New Testament Idiom* (Eighth edit., Göttingen, 1894, 1897, 1898); Friedrich Blass presented us with a *Grammar of New Testament Greek* (Second edit., Göttingen, 1902); even Dr. Moulton retains the customary phraseology in his title *A Grammar of New Testament Greek* (Second edit., Edinburgh, 1906), though his treatment of the subject is in conformity with more recent views.

The isolation of New Testament Greek is even more clearly emphasized in the express teaching of the foregoing writers. According to Hatch (l. c., p. 11), "Biblical Greek is thus a language which stands by itself." Cremer (l. c., Preface, 1883) adopts the words of Rothe:[5] "We can indeed with good right speak of a language of the Holy Ghost. For in the Bible it is manifest to our eyes how the Divine Spirit at work in revelation always takes the language of the particular people chosen to be the recipient and makes of it a characteristic religious variety by transforming existing conceptions into a shape peculiarly appropriate to that Spirit. This process is shown most clearly by the Greek of the New Testament." Blass too in his earlier writings[6] teaches that New Testament Greek is "to be recognized as something peculiar, obeying its own laws."

And scholars easily extended to Biblical Greek what they believed to be true of New Testament Greek. The Bible is thus isolated, because it is supposed to be written in Biblical Greek, in a language that must be sharply distinguished from what people have been fond of calling "profane Greek." And

[5] *Zur Dogmatik*, Gotha, 1863, p. 238.

[6] *Theologische Literaturzeitung*, 1894, XIX, col. 338.

it is not merely the grammar of the Biblical Greek that differs from the profane; its vocabulary too is peculiarly its own. Even the words that are not specifically Biblical, or New Testament words, show for the most part a change of meaning that is often considerable, and is usually ascribed to the influence of the Hebrew or the Semitic genius. In brief, the fundamental view of Biblical Greek which usually prevails in the older works on the subject, emphasizes two of its characteristics, its peculiarity and its uniformity.[7]

3. Papyrology. Before we examine how the foregoing idea of Biblical Greek fits in with the facts, it may be well to summarize the results of recent research into the character of the so-called "profane" Greek as spoken and written during the period of the Roman Empire. In order to do so, we shall have to speak of inscriptions, of papyri, and of potsherds, and wooden tablets. But the number of papyri is so much greater than that of the other elements that this study has been simply named "Papyrology."

(*1*). The *inscriptions* are written on stone, cast in bronze, scratched on wax tablets and lead or gold plates, scribbled on walls, or engraven on coins and medals. They number some hundreds of thousands, and their study, though not absolutely new, was highly developed during the nineteenth century. It was especially August Böckh in his connexion with the *Corpus Inscriptionum Græcarum*, and Theodor Mommsen in his relation to the *Corpus Inscriptionum Latinarum*, who were the brilliant systematizers of Greek and Latin epigraphy. Joh. Ernst Imm. Walch[8] and the English scholars Hicks, Lightfoot, and Ramsay turned the Greek inscriptions to account in New Testament study. The excavations of the Austrian archeologists on the site of ancient Ephesus, those of the Germans at Pergamus, at Magnesia, and in other cities of Asia Minor, and those of the Americans at Corinth have considerably increased the stock of inscriptions. The Vienna Academy is planning a new *Corpus* of Greek inscriptions; in the meantime, Wilhelm Dittenberger's collection entitled *Orientis græci inscriptiones selectæ* is distinguished for the ac-

[7] Cf. *The Expositor*, Nov. 1907, pp. 425 ff.

[8] *Observationes in Matthæum ex græcis inscriptionibus*, Jena, 1779.

curacy of its text and commentary. But on the whole, the inscriptions are too polished and artificial in their phraseology to be of great assistance in philological Bible study.

(*2*). The *papyrus* sheet was one of the most important writing materials in antiquity. The oldest inscribed papyrus preserved for us is a sheet of accounts from the reign of Assa, king of Egypt about 3580-3536 B. C. Beginning from this remote period the papyrus has a history of roundly 5000 years. The oldest documents fall within the province of Egyptology; others are written in Aramaic,[9] in Greek, and some of the later ones in Latin, Coptic, Arabic, Hebrew, Persian, and other languages. It is the Greek papyri that interest us for the present. They run through the whole Ptolemaic period, or the time of the origin of the Greek Old Testament; they continue through the earliest imperial period, or the time of the origin of the New Testament; they extend from the second to the fourth century A. D., or the age of persecution; and they embrace even another five hundred years of Christian Byzantine civilization. The Bible student is not concerned with the Christian manuscripts, but with the non-Christian texts; and here again, he is more interested in those written in the colloquial language, often in the most vulgar Greek, than in those written in the official or legal style. He will be greatly aided by Ulrich Wilcken's *Archiv für Papyrusforschung* (Leipzig, 1900, etc.).

(*3*). The *Ostraca* or *potsherds*, obtainable from any broken jug or vessel, were the writing material of the poor, and even of the authorities in their dealings with the poor. We need not here tell the history of their recovery and of the recognition of their importance brought about through the labors of Wilcken[10] and Crum.[11] The Bible student will find the Ostraca important not on account of the Biblical texts written on them, but on account of their linguistic character: for they shed light on the language of the lower classes, and

[9] Sayce and Cowley, *Aramaic Papyri discovered at Assuan;* London, 1906.

[10] *Griechische Ostraka aus Aegypten und Nubien.* Leipzig und Berlin, 1899.

[11] *Coptic Ostraca from the Collections of the Egypt Exploration Fund, the Cairo Museum and others.* London, 1902.

therefore on the language of the Book written not by learned men but by simple folk.

(*4*). *Papyrology* may be young in years, but it has engaged the talent and the interest of some of our brightest students. We may mention here Dr. Wilhelm Crönert of Göttingen (*Memoria Græca Herculanensis.* Lipsiæ, 1903); Dr. Karl Dieterich, of Leipzig (*Untersuchungen zur Geschichte der griechischen Sprache.* Leipzig, 1898); Dr. Hatzidakis, of Athens (*Einleitung in die neugriechische Grammatik.* Leipzig, 1892); Dr. van Herwerden, the veteran Dutch philologist (*Lexicon græcum suppletorium et dialecticum.* Lugduni Batavorum, 1902-04); Dr. Jannaris, the St. Andrews lecturer (*An Historical Greek Grammar.* London, 1897); Dr. Kretschmer, of Vienna (*Die Entstehung der Koine.* Kaiserl. Akad. d. Wissensch. in Wien, philos.—histor. Klasse, Bd. CXLIII. n. 10); Dr. Mayser, of Stuttgart (*Grammatik der griechischen Papyri,* etc. Leipzig, 1906); Dr. Meisterhans and Dr. Schwyzer, two Swiss scholars (*Grammatik der attischen Inschriften.* Berlin, 1885, 1888, 1900); Dr. Nachmanson, a Swede (*Laute und Formen der magnetischen Inschriften.* Upsala, 1903); Dr. Schmid, of Tübingen (*Der Atticismus in seinen Hauptvertretern.* Stuttgart, 1887-97); Dr. Wilhelm Schmidt, a Prussian schoolmaster (*De Flavii Josephi elocutione observationes criticæ.* Lipsiæ, 1893); Dr. Schulze, of the Berlin Academy (*Græca Latina.* Göttingen, 1901); Dr. Schweizer (*Grammatik der pergamenischen Inschriften.* Berlin, 1898); Dr. Thumb, of Marburg (*Die griechische Sprache im Zeitalter des Hellenismus.* Strassburg, 1901); Dr. Wackernagel, of Göttingen (*Hellenistica,* Göttingen, 1907). To these might be added other names, not less illustrious; but some of them are mentioned in other passages of this article.

4. The Language of the Greek Bible. It has been said that the language of the Greek Bible is rightly called Biblical Greek on account of its peculiarity and uniformity. It is regarded as peculiar on account of its reputed difference from the profane Greek; it is said to be uniform, on account of its supposed fidelity to the same laws. How do these two supposed characteristics square with the facts?

(*1*). The language of the Greek Bible is *not peculiar* in the sense that it differs from the profane Greek; it is practically the same language as that spoken by the simple and unlearned people of its own age. When this statement was first maintained some ten years ago, it met with more or less lively objection on the part of the specialists; but to-day the field of Biblical Greek is revolutionized. It is granted that the investigation of the subject must begin with a study of the language of the papyri, the inscriptions, and the ostraca. This view has been set forth even by such a conservative authority as the annual report on the progress of classical antiquities.[12] Theodor Nägeli in his study on the vocabulary of St. Paul (*Der Worschatz des Apostels Paulus.* Göttingen, 1905), James Hope Moulton in his Prolegomena (Edinburgh, 1906), Prof. Wackernagel in an essay on the Greek language (*Die Kultur der Gegenwart*, Leipzig, 1905, I, 8. pp. 303 ff.), Heitmüller (*Im Namen Jesu.* Göttingen, 1903), Prof. Deissmann (*Bible Studies.* Edinburgh, 1901, 1903), several contributors to the *Expositor*, the *Classical Review*, the *Expository Times*, and other writers agree in considering the language of the Greek Bible as substantially identical with the Greek of the uneducated classes of its own times.

(*2*). Moreover the language of the Greek Bible is *not uniform.* The sacred texts themselves call emphatically for division on linguistic lines into two great groups: original Greek writings and translations from Semitic originals. It must not be imagined that the Septuagint is on the one side of the boundary line, and the New Testament on the other. The words of Jesus in the synoptic Gospels and other small parts of the New Testament belong to the translators' Greek, while some of the Deuterocanonical Books of the Old Testament go with the Greek originals, though they are incorporated in the Septuagint. The original Greek writings are examples of Greek as it was really spoken, while the Greek of the translations is often influenced by the language of the original. It can hardly be maintained that the translators' Greek is "Jewish Greek" spoken by the Jews of Alexandria and the Asiatics.

[12] Prof. Witkowski, of Lemberg: *Jahresbericht über die Fortschritte der classischen Altertumswissenschaft*, 1904, I. Bd. CXX. pp. 153-256.

Again, there is no uniformity of language within the two main groups themselves. The translations were not made by one hand nor on a uniform method, and the original Greek text does not flow from the same pen. The sayings of our Lord in the Gospels are generally better translated than most parts of the Septuagint, and the Epistle to the Hebrews differs from the Johannine Epistles as notably as the literary language differs from the popular.

(*3*). A few additional words on the results of recent *Septuagint study*: The investigation of the Septuagint question has been greatly helped by the *Concordance to the Septuagint and the other Greek Translations of the Old Testament* compiled by Messrs. Hatch and Redpath (Oxford, 1892-1906). As Oxford gave us a new Septuagint concordance, so did Cambridge present us with a new text. H. B. Swete produced a manual edition of the Vatican text (*The Old Testament in Greek according to the Septuagint.* Cambridge, 1887-94; 1895-1900; 1901-07), supplementing it with *An Introduction to the Old Testament in Greek* (Cambridge, 1900; 1902). Then appeared the large edition of *The Old Testament in Greek according to the text of the Codex Vaticanus* (A. E. Brooke and Norman McLean. Vol. I. Part I., Gen.; Cambridge, 1906) which gives as complete a critical apparatus as is possible at present. R. Helbig published a Septuagint grammar (*Grammatik der Septuaginta Laut- und Wortlehre.* Göttingen, 1907), and this may be supplemented by the *Grammar of Greek Papyri of the Ptolemaic Epoch*, recently published by Edwin Mayser (Leipzig, 1906). There is need of an up-to-date Dictionary of the Septuagint. The antiquated works of Biel and Schleusner can serve us no longer; the work of Baljon extends over the whole of early Christian literature; the works of Cremer and Hatch need revision, and the dissertation of Anz (Halle, 1894) investigates only two hundred and eighty-nine verbs in the Pentateuch. There is a similar need of exegesis of the Septuagint. Ottley in his *Book of Isaiah according to the Septuagint* (Cambridge, 1906) and Conybeare and Stock in their *Selections from the Septuagint* (London, 1905) have made a beginning; but the largest portion of the field has thus far remained without a laborer.

Criticisms and Notes.

THE CATHOLIC ENCYCLOPEDIA. An International Work of Reference on the Constitution, Doctrine, Discipline, and History of the Catholic Church. Edited by Charles G. Herbermann, Ph.D., LL.D., Edward A. Pace, Ph.D., D.D., Condé B. Pallen, Ph.D., LL.D., Thomas J. Shahan, D.D., John J. Wynne, S.J., assisted by numerous collaborators. In fifteen volumes. Vol. II. New York: Robert Appleton Company. Pp. 804.

If there could have been any doubt about the functions which a distinctly Catholic Encyclopedia is to fulfil among English-speaking people, the second volume of the work at hand is likely to dissipate all misgiving about the wisdom or advisability and usefulness of the enterprise.

Not only are the topics which a cultured and truth-loving Christian might find in other popular works of reference presented to us here in a spirit of religious reverence and scientific impartiality that takes cognizance of the influence and services of the Catholic Church throughout the world, but we also have here information on subjects which we would look for in vain among the pages of any other encyclopedia. These are, for example, the well-summarized details of diocesan history, such as Dr. Russell gives for the see of Baltimore and Father Meehan for the dioceses of Brooklyn and of Boston. Nor could we anywhere, outside of books or separate monographs, find information about important institutions which devote themselves to Catholic education or works of special beneficence, such as the Community of the Sisters of the Blessed Sacrament for the Indian and Colored Races.

Among persons of interest to Catholics such names as Bonaventure, Borromeo, and Bossuet are certainly found anywhere, though not always without some offensive touch of uncritical depreciation, and certainly not often treated in so thorough and scholarly a manner as Father Paschal Robinson here handles the first-mentioned subject. But one would hardly find much attention paid in a "popular" encyclopedia to such names as Azarias, of whom Brother Chrysostom of the Christian Schools gives us a brief but well-drawn sketch. The same may be said of men like Badin by Bishop Maes, Bridgett by Father Harold Castle, Blanchet, Bouquillon, Bourget of whom Archbishop Bruchesi writes as of an honored predecessor, or of the saintly mis-

sionaries and educators whose names are rising above our altars to a glory which no mere earthly hero is capable of acquiring through the passing ages in every land. Instances of this kind in the volume before us are Brébeuf by Fr. Campbell, the Ven. Madame Barat by Alice Power, and of Bl. Julie (Billiart), promised for a future volume.

As to the strength of the articles, it will suffice simply to mention some of special merit and the names of the responsible authors. The article on the *Breviary*, by Hunter Blair; on the *Bollandists*, by one of themselves, P. Chas. de Smet; *Bossuet*, by the late Brunetière; *Authority*, by Joseph Rickaby; *Augustine*, by Eugène Portalié; *Benedictines*, by Cyprian Alston; *Bells*, by Herbert Thurston; *Biblical Commission*, by John Corbett. *Basilica*, by P. Gietmann, is disappointingly short, considering how much might well be said on the subject, and considering also the writer. Praise is likewise due to the articles on *Banns*, by Dr. Shahan, and on *Baptism*, by Father Fanning. The account on the *Austro-Hungarian Monarchy* is quite exhaustive, as is also the one on *Belgium*, though there is something lacking in parts, as when Director Kurth touches upon the legislation regarding cemeteries without making it very clear what the law actually requires in the matter of denominational rights. The largest proportion of writers is, I think, drawn from the Jesuit Order; and these supply many brief articles which, like those by Father Maas, require no less erudition on that account. Father Slater, S. J., contributes the articles on *Bribery, Betting, Bankruptcy*, from the moral standpoint, and outlines a series of principles which have long been wanted by practical students who are not trained in the seminary or as theologians.

We think the article on *Bible Editions* should not, for obvious reasons, be referred to under *Editions* in a future volume, but ought properly to be treated under Bibles. The same may be said of *Bible MSS.*, which (see *Bodleian Codex*) refers us to the heading *MSS.* The same reasons of pertinency lead one to rubricate *Bishop Auxiliary* under the title *Bishop*, at least so long as *Coadjutor Bishop* is given under that title. These, however, are minor points on which editors may justly differ according to the manner of viewing and grouping topics. All in all, the second volume furnishes an additional guarantee that the work is in excellent hands and will not be wanting in either completeness or thorough Catholic scholarship.

HERDER'S KONVERSATIONS-LEXIKON. Reich illustriert durch Textabbildungen, Tafeln und Karten. Bd VIII "Spinnerei" bis "Zz." Dritte Auflage. St. Louis: B. Herder. 1907. Pp. 1911.

With the present (VIII) volume the third edition of Herder's (German) encyclopedia is completed. The work is a model in every sense in which that term can be applied to a literary production of its kind. This we say for the benefit of our German-speaking readers who are not already familiar with the *Konversations-Lexikon.* It is not a Catholic dictionary that deals simply with religious and associated topics from a Catholic point of view. For that purpose there exists another work in twelve volumes (and a separate index volume) published by the same firm, and called *Kirchen-Lexikon* or Ecclesiastical Encyclopedia. The *Konversations-Lexikon* which we have here is an encyclopedia of general, secular as well as religious, information. But it gives to a Catholic the sure guarantee of being at the same time free from prejudice against his faith and of not withholding from him accurate and pertinent statistics that refer to matters ecclesiastical or Catholic. In every other respect it compares favorably with the popular editions of works of general information, being up-to-date in matters pertaining to science, art, politics, and letters. The illustrations are very numerous and distinctly helpful as interpreting the text; they are also of a high order from a typographical and artistic point of view. Readers of German are fortunate in having at their command a source of this kind which has stood the test of criticism, and which is admitted to give a well-balanced, accurately-stated account of all the facts which an intelligent inquirer is likely to meet with in the course of practical and professional life.

DER WIRKLICHE TOD UND DER SCHEINTOD in Beziehung auf die hl. Sakramente, auf die Häufigkeit der voreiligen Begräbnisse, auf die Mittel zur Wiederbelebung der angeblich Toten und zur Vermeidung der Gefahr des Lebendigbegrabenwerdens. Physiologisch-medizinisch-theologische Studie. Von P. J. B. Ferreres, S.J., und Prof. Dr. J. B. Geniesse, Vicepräsident der Londoner Gesellschaft zur Verhütung voreiliger Begräbnisse. Fr. Pustet & Co.: Rome, Ratisbon, New York and Cincinnati. 1908. Pp. xx-424.

Readers of the ECCLESIASTICAL REVIEW are familiar with the important dissertation on "Death, Real and Apparent" by the Spanish Jesuit Ferreres, an English version of which appeared in

these pages and was afterwards published in book form (B. Herder). Professor Dr. Geniesse had from the beginning taken a spirited and intelligent interest in the experiments and tests submitted by the Spanish writer, and as Vice-President of the London Society for preventing premature burial had added his own valuable observations in an authorized French translation *La Morte Réale et la Morte Apparente.* These notes have been partly inserted in subsequent editions of the original work, and in some of the translations, of which there have appeared up to the present, two Italian, one Portuguese, one French, and one English. The extent and value of Dr. Geniesse's comments, as incorporated in the German version before us, may be judged from the fact that the latter exceeds the original Spanish (third edition) by about seven times the number of pages; they cover the physiological and medical as well as the theological aspects of the case, and have merited the approbation of professional experts in both fields of science. It is hardly necessary to revert here to the extreme practical importance of the subject in the "cura animarum," since we have dwelt upon the theme more than once. The subject needs to be incorporated in our text-books of Moral and Pastoral Theology, and the fullest and most reliable reference to sources of information is to be found in this last edition by the German theologian.

Literary Chat.

Among the useful and interesting things, a goodly supply whereof one is wont to find in published records of beneficence, is a series of papers by Emily Balch running for some time through *Charities and the Commons* (New York) under the title *Our Slavic Fellow Citizens.* In the last instalment (7 December), dealing with the question of the assimilation of the Slavic element with the so-called American basis, the writer, having instanced the efforts of that element to keep alive its national language, says that "we cannot be surprised, however much we may regret (!) that the duty of maintaining separate schools is urged on both patriotic and religious grounds by clerical and other leaders. Among the Slavs the Poles have been vastly the most in this field. Both good priests, who fear change on account of its threat to all that they hold most sacred, and greedy priests who desire to keep their own hold on the people, naturally strain every nerve to encourage parochial schools. Father Kruszka estimates that at the beginning of 1901 there were in

the United States about 70,000 children in the Polish schools alone. These schools undertake to train the children in religion and in the Polish language and Polish history, as well as in the regular public school branches. English is taught as a subject throughout the classes and generally some of the other subjects, as, for instance, geography, United States history, bookkeeping, and algebra for those who go so far, are taught in English. It is claimed by those interested that children leaving these schools for the public schools enter classes above or on a level with those they have left. I have seen parochial schools that were subject to criticism from the point of view of modern arrangements for the health and comfort of the pupils and which were primitive in more ways than one (and the same might be said, alas, of some public schools), but one must admire the devotion of these often very ignorant and poor people, who out of their slender means build and support all these schools when free schools are already provided out of the taxes." The facts here expressed and the principal suggested require no comment. Their significance is all the more telling in that they are narrated by a writer who is seemingly not biased on their side.

The Letters of Samuel Reynolds Hole (Macmillan) show us a Protestant Dean who, by his genial manner, his straightforward assertion of common sense, and his good-humored use of the "argumentum ad hominem" in the defense of religious principles, might easily have been taken for the typical Catholic parish priest. He was not one of those clergymen, says Mr. Whiteley, the critic, who mistake biliousness for piety. He made the Puritans angry by expressing the opinion, at the Church Congress, that people might play at cards for small stakes without being hopeless reprobates. He professed to be a rabid teetotaler with lucid intervals regularly at dinner-time, inasmuch as he considered a glass of good wine or good beer not only pleasant but invigorating. He was fond of the society of the poor and labored incessantly to improve their condition by teaching them, providing them with opportunities for work and recreation which he thought a more philanthropic plan than decorating them with blue ribbons. He knew how to talk to them, as a rough bargeman once said of him: "I like to hear that minister. One can understand what he says. He hits straight from the shoulder."

Canon Sheehan is soon to publish a volume of essays similar to his *Under the Cedars and the Stars* which was first issued by the ECCLESIASTICAL REVIEW (Dolphin). The title of the new book is to be *Parerga* (Longmans). The same firm announces a work on the Inquisition, a critical and historical study of the Abbé Vacanard.

The English version of Johannes Janssen's *History of the German People at the Close of the Middle Ages* practically concludes, in the two volumes just received (XI and XII), the work done by the eminent historian. Prof. Ludwig Pastor had in 1900 edited the original (fifteenth

and sixteenth German editions) of these volumes, with his own additions taken partly from manuscript notes left by the author, partly from notes made by himself and reproducing the verbal dictations of the venerable instructor to his favorite pupil. The two volumes deal with those most attractive topics—plastic art, music and Church hymns, popular dramatic literature in Germany down to the period of the Thirty Years' War. It is a theme which demands a separate critique of particular interest to clerical readers. (B. Herder.) Dr. Pastor continues the work of Janssen.

Society, Sin and the Saviour is the title of a collection of addresses on the Passion of our Lord, by the indefatigable Jesuit preacher, Father Bernard Vaughan. There are eight of them beginning with the picture of "Christ before His Father," followed by the chief scenes of the Passion and concluding with "Christ risen from the Dead." The language is graphic and forcible, the descriptions vivid and at times commonplace, for their evident aim is to illustrate the simple home-truths which can never be sufficiently meditated upon. The book offers good material for a Lenten course of sermons. (Kegan-Paul; Herder).

Mgr. Nicholas Gihr, whose exhaustive work on the Mass has gone into several editions, both in the original and in the English translation, has completed a liturgical and ascetical exposition of the priestly morning and evening prayers *Prime* and *Compline*. This study, like the treatise on the Sacraments and the interpretation of the Sequences of the Missal from the same pen, deserve to be translated for the use of priests and theological students.

The *Dominican Year Book* is well edited and gives a good idea of the activity of the Order of Friars Preacher and the Dominican Tertiaries in the United States, both in the past and present. The Rev. Alvah W. Doran projects a picture of the Church in America some forty years hence, which makes instructive reading for priests. An appreciation of the late Fr. Henry Denifle, by Fr. Reinhart; the Dominicans and Plain-Chant, by Fr. H. S. Smith; the University of St. Thomas, Manila, by Fr. Tamayo; Pages of Dominican History in New York, by the editor, John T. McNicholas; Early Dominican Printing-Presses in Mexico, by Fr. O'Daniel, and some short stories and poems by such writers as Eleanor C. Donnelly, make the annual a valuable as well as characteristic contribution to our current literature.

Under the head of *An Unfortunate Publication* the "Franciscan Annals'" protest against the circulation of a certain spurious version of "The Writings of St. Francis of Assisi" recently published by Messrs. Burns & Oates, the London Catholic book firm. Fr. William, a Franciscan Conventual, the writer of the above-mentioned article says: "The publication of this book is a disgraceful production." Not only is the work poorly translated from a defective edition, but wrong meanings are attached to the words of the Saint, while in some passages the true

meaning is lost through a lack of understanding of the original language. We are at a loss to know what could have induced an English Catholic firm, which presumably does honest business, to bring out such a work when they must have known that an authentic edition, prepared at great pains by one of the leading scholars in the field of Franciscalia, Father Paschal Robinson, O. F. M., had been issued by the *Dolphin Press* more than a year ago.

Books Received.

THEOLOGICAL AND DEVOTIONAL.

AN INTRODUCTION TO ECCLESIASTES. With Notes and Appendices. By A. H. McNeile, B.D., Tyrwhitt Hebrew Scholar and Crosse Scholar, Fellow and Theological Lecturer at Sidney Sussex College, Cambridge. New York: G. P. Putnam's Sons. 1904. Pp. vi-168.

THE APOSTLES' CREED. Its Relation to Primitive Christianity. By H. B. Swete, D.D., Hon. Litt.D., Dublin; Hon. D.D., Glasgow; F.B.A.; Fellow of Gonville and Caius College, Regius Professor of Divinity, Cambridge. New York: G. P. Putnam's Sons. 1905. Pp. 112.

MANY MANSIONS. Being Studies in Ancient Religious and Modern Thought. By William Samuel Lilly, New York, Cincinnati, Chicago: Benziger Brothers; London: Chapman & Hall. 1907. Pp. 260. Price, $3.00.

CHRISTIANITY AND THE SOCIAL ORDER. By R. J. Campbell, M.A., Minister of the City Temple, London; author of *The New Theology, New Theology Sermons*, etc. New York: The Macmillan Company. 1907. Pp. xii-284. Price, $1.50, *net.*

THE CHURCHES SEPARATED FROM ROME. By Mgr. L. Duchesne, Director of the Ecole Française at Rome. Authorized translation by Arnold Mathias Mathew. New York, Cincinnati, Chicago: Benziger Brothers. 1907. Pp. 224. Price, $2.00.

LA THÉOLOGIE DE SAINT PAUL. Par F. Prat, S.J. Première partie. Paris: Gabriel Beauchesne & Cie. 1908. Pp. 604. Prix, 6 *fr., net.*

THE FATHERS OF THE DESERT. Translated from the German of the Countess Hahn-Hahn by Emily F. Bowden. With a chapter on the spiritual life of the first six centuries, by John Bernard Dalgairns (of the Oratory). Two volumes. Pp. 520. Price, $2.50.

CHRISTOLOGIE. Commentaire des Propositions XXVII-XXXVIII du Décret du Saint-Office "Lamentabili." La personne du Christ, sa messianité et sa divinité, sa science et sa conscience, sa mort rédemptrice et sa conscience, sa mort rédemptrice et sa résurrection. Par M. Lepin, Professeur à l'Ecole supérieure de théologie de Lyon. Paris: Gabriel Beauchesne & Cie. 1908. Pp. 116. Prix, 1 *fr.* 25.

LIFE OF SAINT JEROME, the Great Doctor of the Church. In six books, from the Spanish of Fr. José de Siguenza, San Lorenzo, Madrid, 1595. By Mariana Monteiro. London: Sands & Co. 1907. Pp. 668. Price, $3.50.

INDIFFERENTISM, or What is most worth caring about? By the Rev. L. J. Walker, S.J. London and Edinburgh: Sands & Co.; St. Louis: B. Herder. 1907. Pp. 62.

LITURGICAL.

A SYNTHETIC MANUAL OF LITURGY. By the Rev. Adrian Vigourel, S.S., Professor of Liturgy in the Seminary of St. Sulpice, Paris. Translated,

with the author's approbation, by the Rev. John A. Nainfa, S.S., St. Mary's Seminary, Baltimore, Md. Baltimore and New York: John Murphy Co. 1907. Pp. xix-251.

PRIM UND KOMPLET des Roemischen Breviers, liturgisch und ascetisch erklärt. Von Dr. Nicolaus Gihr. Approb. Erzbischof v. Freiburg. St. Louis: B. Herder. Pp. 342. Price, $1.85.

PHILOSOPHICAL.

DISTRIBUTION OF OWNERSHIP. By Joseph Harding Underwood, Ph.D., University of Montana. (Vol. XXVIII, No. 3, of "Studies in History, Economics and Public Law." Edited by the Faculty of Columbia University.) New York: The Columbia University Press; The Macmillan Company. 1907. Pp. 220.

THE PHILOSOPHICAL BASIS OF RELIGION. A Series of Lectures. By John Watson, M.A., LL.D., Professor of Moral Philosophy in Queen's University, Kingston, Canada. Glasgow: James Maclehose & Sons. New York: The Macmillan Co.; London: Macmillan & Co. 1907. Pp. xxvi-485. Price, $3.00, *net*.

MAN AND THE APE: Are they cousins? By Frank McGloin, author of *Norodom, The Congress of Europe*, etc. Reprint from the "Light of Faith." St. Louis: B. Herder. 1907. Price, $0.10.

THE LEGISLATURE OF THE PROVINCE OF VIRGINIA: Its Internal Development. By Elmer I. Miller, Ph.D., State Normal School, Chico, Calif. (Vol. XXVIII, No. 4, of "Studies in History, Economics, and Public Law." Edited by the Faculty of Columbia University.) New York: The Columbia University Press; The Macmillan Company. 1907. Pp. 182.

CHARACTER-TREATMENT IN THE MEDIAEVAL DRAMA. By Timothy J. Crowley, C.S.C. Dissertation submitted to the Faculty of Philosophy of the Catholic University of America in part fulfilment of the requirements for the Degree of Doctor of Philosophy. Notre Dame, Ind.: Ave Maria Press. 1907. Pp. viii-181.

HISTORICAL.

CHRISTIAN SCIENCE. The Faith and its Founder. By Lyman P. Powell, rector of St. John's Church, Northampton, Mass. New York, London: G. P. Putnam's Sons. 1907. Pp. xviii-261. Price, $1.25, *net*.

ANCIENT CATHOLIC HOMES OF SCOTLAND. By Dom Odo Blundell, O.S.B. With an introduction by Hon. Mrs. Maxwell Scott. New York, Cincinnati, Chicago: Benziger Brothers; London: Burns & Oates. 1907. Pp. 199. Price, $1.50.

THE ELIZABETHAN RELIGIOUS SETTLEMENT. A Study of Contemporary Documents. By Henry Norbert Birt, O.S.B., Priest of Downside Abbey. London: George Bell & Sons; New York: The Macmillan Co. 1907. Pp. xvi-595. Price, $4.50, *net*.

HISTORY OF THE GERMAN PEOPLE AT THE CLOSE OF THE MIDDLE AGES. By Johannes Janssen. Vol. XI and XII. Art and Popular Literature to the beginning of the Thirty Years' War. Translated by A. M. Christie. London: Kegan Paul, Trench, Trübner, & Co.; St. Louis: B. Herder. 1907. Pp. xii-410, and xi-405. Price, $6.25.

MARYLAND: THE LAND OF SANCTUARY. A History of Religious Toleration in Maryland from the First Settlement until the American Revolution. By the Rev. William T. Russell. Baltimore: J. H. Furst Co. 1907. Pp. xxxviii-621. Price, $1.75.

LA RELIGION DES PEUPLES NON CIVILISÉS. Par A. Bros, Professeur au Grand Séminaire de Meaux. (Bibliothèque d'Histoire des Religions.) Paris: P. Lethielleux. 1907. Pp. xxiii-365.